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Council Building
2 High Street
Perth
PH1 5PH

20 January 2021

A special meeting of **Perth and Kinross Council** will be held virtually on **Wednesday, 27 January 2021** at **09:30**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

KAREN REID
Chief Executive

Those attending the meeting are requested to ensure that all electronic equipment is in silent mode.

Please note that the meeting will be recorded and will be publicly available on the Council's website following the meeting.

Members:

Provost D Melloy
All Councillors

Perth and Kinross Council

Wednesday, 27 January 2021

AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

- 1 WELCOME AND APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES OF MEETINGS OF THE APPOINTMENT SUB-COMMITTEE OF STRATEGIC POLICY AND RESOURCES COMMITTEE FOR NOTING**
 - 3(i) CHIEF EXECUTIVE APPOINTMENT SUB-COMMITTEE**
 - 3(i)(a) MINUTE OF MEETING OF 22 DECEMBER 2020** **5 - 6**
(copy herewith)
 - 3(i)(b) MINUTE OF MEETING OF 20 JANUARY 2021**
(copy to follow)
 - 3(ii) CHIEF OPERATING OFFICER APPOINTMENT SUB-COMMITTEE**
 - 3(ii)(a) MINUTE OF MEETING OF 22 DECEMBER 2020** **7 - 8**
(copy herewith)
 - 3(ii)(b) MINUTE OF MEETING OF 6 JANUARY 2021** **9 - 10**
(copy herewith)
- 4 DECISION MAKING AND COMMUNICATION ARRANGEMENTS - JANUARY 2021**
Report by Chief Operating Officer (copy to follow)
- 5 REVENUE BUDGET 2020/21 UPDATE REPORT NO. 3** **11 - 36**
Report by Head of Finance (copy herewith 21/8)
- 6 COMPOSITE CAPITAL BUDGET 2020/29 & HOUSING INVESTMENT PROGRAMME 2020/25 - MONITORING REPORT NUMBER 3** **37 - 62**
Report by Head of Finance (copy herewith 21/9)

7	REVIEW OF PLANNING ENFORCEMENT CHARTER Head of Planning and Development (copy herewith 21/10)	63 - 86
8	ADOPTION OF SUPPLEMENTARY GUIDANCE ON OPEN SPACE PROVISION AND FLOOD RISK & FLOOD RISK ASSESSMENTS Report by Executive Director (Communities) (copy herewith 21/11)	87 - 252
9	APPOINTMENTS TO COMMITTEES/OUTSIDE BODIES <ul style="list-style-type: none"> (i) Council is asked to appoint a Convener of the Local Review body. (ii) Council is asked to appoint a member to the vacant position on the Planning and Development Management Committee (iii) Council is asked to appoint a member to the vacant position on the Licensing Board. (iv) Council is asked to appoint a member to the vacant position on the Harbour Board. (v) Council is asked to appoint a member to the vacant position on the Friends of Pskov Management Committee. (vi) Council is asked to appoint a member to the vacant position on the Friends of Aschaffenburg Management Committee. 	

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CHIEF EXECUTIVE APPOINTMENT SUB-COMMITTEE

Minutes of Meeting of the Chief Executive Appointment Sub-Committee held virtually via Microsoft Teams on Tuesday 22 December 2020 at 10.00am.

Present: Councillors P Barrett, J Duff, G Laing, M Lyle and F Sarwar.

In attendance: K Donaldson, Interim Chief Operating Officer and L Brown, Committee Officer (both Corporate and Democratic Services).

1. DECLARATIONS OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

2. APPOINTMENT OF CONVENER

Councillor P Barrett, seconded by Councillor J Duff, nominated Councillor M Lyle as Convener of the Sub-Committee.

Councillor M Lyle was unanimously elected as Convener and took the Chair.

IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973

3. APPOINTMENT OF CHIEF EXECUTIVE

The Interim Chief Operating Officer submitted a report (20/259) and two appendices detailing the recruitment and selection arrangements for the appointment of a new Chief Executive.

Resolved:

- (i) Ms Fiona Lees, Chief Executive of East Ayrshire Council, be invited to act as the independent external professional adviser to the Sub-Committee.
- (ii) Solace in Business be appointed to run an assessment centre.
- (iii) The Job Profile and Specification as detailed in Appendix 1 of the report be approved.
- (iv) The vacancy, as detailed in Appendix 2 of Report 20/259, be advertised and promoted on MyJobScotland.
- (v) The vacancy be promoted using a range of social medial channels.
- (vi) References be obtained for the successful candidate.
- (vi) The Interim Chief Operating Officer be requested to arrange a fair selection refresher training session for the members of the Appointment Sub-Committee to be held in January 2021.

APPOINTMENTS SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE (POST OF CHIEF OPERATING OFFICER)

Minute of Meeting of the Appointments Sub-Committee held virtually via Microsoft Teams on Tuesday 22 December 2020 at 2.00pm.

Present: Councillors M Lyle, S McCole, X McDade, A Parrott and C Shiers; and K Reid, Chief Executive.

In attendance: P Johnstone, Human Resources Manager, and S Hendry, Team Leader (Committee Services).

1. DECLARATION OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

2. APPOINTMENT OF CONVENER

It was unanimously agreed that Councillor M Lyle be appointed Convener.

IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973

P1. RECRUITMENT PACK

There was submitted and noted a copy of the recruitment pack for the post of Chief Operating Officer (post reference PKC06955).

P2. APPOINTMENT OF CHIEF OPERATING OFFICER – COMPLETED APPLICATION FORMS

There was submitted and noted a copy of the completed application forms for the post of Chief Operating Officer.

P3. INTERVIEW MATRIX

There was submitted and noted a copy of the interview matrix, list of candidates and shortlisting exercise.

P4. COMMUNICATION TEMPLATES

There was submitted and noted a copy of the communication templates, specifically the communication on invitation to interview and unsuccessful email.

P5. SELECTION PROCESS

It be agreed that all candidates who had submitted an application for the post be invited for interview and assessment on Wednesday 6 January 2021.

P6. DATE OF NEXT MEETING

Wednesday 6 January 2021 at 9.30am.

APPOINTMENTS SUB-COMMITTEE of the STRATEGIC POLICY and RESOURCES COMMITTEE (CHIEF OPERATING OFFICER)

Minute of meeting of the Appointments Sub-Committee held virtually via Microsoft Teams on Wednesday 6 January 2021 at 9.30am.

Present: Councillors M Lyle, S McCole, X McDade, A Parrott and C Shiers and K Reid, Chief Executive.

In Attendance: P Johnstone, Corporate Human Resources Adviser.

Councillor M Lyle, Convener, Presiding.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

2. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Appointments Sub-Committee of 22 December 2020 was submitted and approved.

IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973

3. POST OF CHIEF OPERATING OFFICER

There was submitted an interview pack containing details relating to the candidates selected for interview, together with interview questions.

It was noted that four candidates had been invited for interview.

The Sub-Committee having received information from P Johnstone, Corporate Human Resources Adviser, interviewed the four candidates and asked detailed questions of the candidates. The Sub-Committee thereafter considered the matter.

Resolved:

The Sub-Committee unanimously agreed that an offer of appointment be made to Karen Donaldson in respect of the post of Chief Operating Officer, on the advertised terms and conditions, with immediate effect.

PERTH & KINROSS COUNCIL

27 January 2021

REVENUE BUDGET 2020/21 UPDATE No. 3

Report by the Head of Finance (Report No. 21/8)

PURPOSE OF REPORT

This report provides an update on progress with the 2020/21 Revenue Budget, with a focus on the estimated financial impact of Covid-19 in the current year.

1. BACKGROUND

- 1.1. On 25 November 2020, the Strategic Policy & Resources Committee considered the Revenue Budget 2020/21 Update No.2 (Report No. 20/225) refers. At that time, the gross impact of Covid on the Council's in-year financial position was estimated at between £26.0 million and £30.4 million.
- 1.2. After allowing for additional Scottish Government funding and mitigating action using forecast in-year under-spends, the remaining net financial gap in 2020/21 was estimated at between £300,000 and £4.7 million.
- 1.3. This report provides the Council with the latest forecast year end position for financial year 2020/21 based on expenditure and income to October 2020 for the General Fund and Housing Revenue Account, updated for any anticipated material changes.
- 1.4. This report also provides a further update on the funding that has been made available to the Council.

2. LATEST PROJECTED FINANCIAL IMPACT OF COVID-19 ON COUNCIL

- 2.1 The projections included within this report are based on the most up to date information available at the time of writing. Undoubtedly the position will change as new information emerges, any further funding announcements are made and as the Council's response to Covid-19 evolves in light of local circumstances and the requirements of the Scottish Government Covid protection levels.
- 2.2 Elected Members will continue to be kept fully apprised of the latest projections over the coming months.
- 2.3 The Executive Officer Team has reviewed the projected outturns included within this update and these are set out in more detail below. The impact of Covid-19 has been summarised in the following categories:
 - Impact on –
 - Expenditure
 - Income

- Approved Savings
- Local Taxes
- Arm's Length External Organisations (ALEOs)
- Other Areas

Impact on Expenditure

- 2.4 Using the latest information available, the projected impact of Covid-19 on Council **expenditure** is currently estimated at approximately **£12.6 million**. This is a net increase of £0.2 million on the position reported to the Strategic Policy & Resources Committee on 25 November 2020 (Report No. 20/225 refers). The main reasons for this increase are the inclusion of updated projections in relation to cleaning, PPE and equipment supplies as well as anticipated costs in relation to tackling financial insecurity (funded by the Scottish Government) which is partially offset by a reduction in the support provided to Tayside Contracts.
- 2.5 Examples of the pressures contributing to this position are set out in the following table.

<i>Giving every child the best start in life</i>	<ul style="list-style-type: none"> • Provision of free school meals - £0.795m • Provision of childcare / activity centres - £0.666m
<i>Developing educated, responsible and informed citizens</i>	<ul style="list-style-type: none"> • Additional teaching and support staff - £1.988m • Return of Schools - £0.868m • Home to School Transport - £0.652m • Additional property / energy costs - £0.597m
<i>Supporting people to lead independent, healthy & active lives</i>	<ul style="list-style-type: none"> • Crisis Grants - £0.410m • Tackling Financial Insecurity - £0.368m • Social Care - £4.170m • Mental Health & Wellbeing - £0.416m • Food support - £0.237m
<i>Creating a safe and sustainable place for future generations</i>	<ul style="list-style-type: none"> • Fly Tipping Fund - £0.020m
<i>Organised to deliver</i>	<ul style="list-style-type: none"> • Payments to Tayside Contracts - £0.5m • PPE / Cleaning / Supplies - £0.746m

Impact on Income

- 2.6 Using the latest information available, the projected impact of Covid-19 on Council **income** is currently estimated at approximately **£6.2 million**. This is a net reduction of £0.1 million on the position reported to the Strategic Policy & Resources Committee on 25 November 2020 (Report No. 20/225 refers).
- 2.7 Examples of the income sources contributing towards this position are set out in the following table.

<i>Giving every child the best start in life</i>	<ul style="list-style-type: none"> Kids clubs - £0.431m
<i>Developing educated, responsible and informed citizens</i>	<ul style="list-style-type: none"> School meals - £1.442m Instrumental music - £0.249m Breakfast Clubs - £0.123m
<i>Promoting a prosperous, inclusive and sustainable economy</i>	<ul style="list-style-type: none"> Planning & building warrant fees - £0.8m Licensing - £0.278m
<i>Supporting people to lead independent, healthy & active lives</i>	<ul style="list-style-type: none"> School lets - £0.085m Greenspace (North Inch Golf / events) - £0.110m Contributions Policy - £0.480m
<i>Creating a safe and sustainable place for future generations</i>	<ul style="list-style-type: none"> Waste (commercial / sales) - £0.630m
<i>Organised to deliver</i>	<ul style="list-style-type: none"> Recharges to Capital - £0.5m Statutory Additions - £0.1m Tayside Contracts Surplus - £0.3m Council Tax Reduction Scheme - £0.4m

Impact on Approved Savings

- 2.8 Using the latest information available, the projected impact of Covid-19 on Council **approved savings** is currently estimated at approximately **£1.3 million**. This is a reduction of £0.4 million and is primarily due to updated forecasts in relation to recycling performance and property asset management. More information on this is set out in the following table.

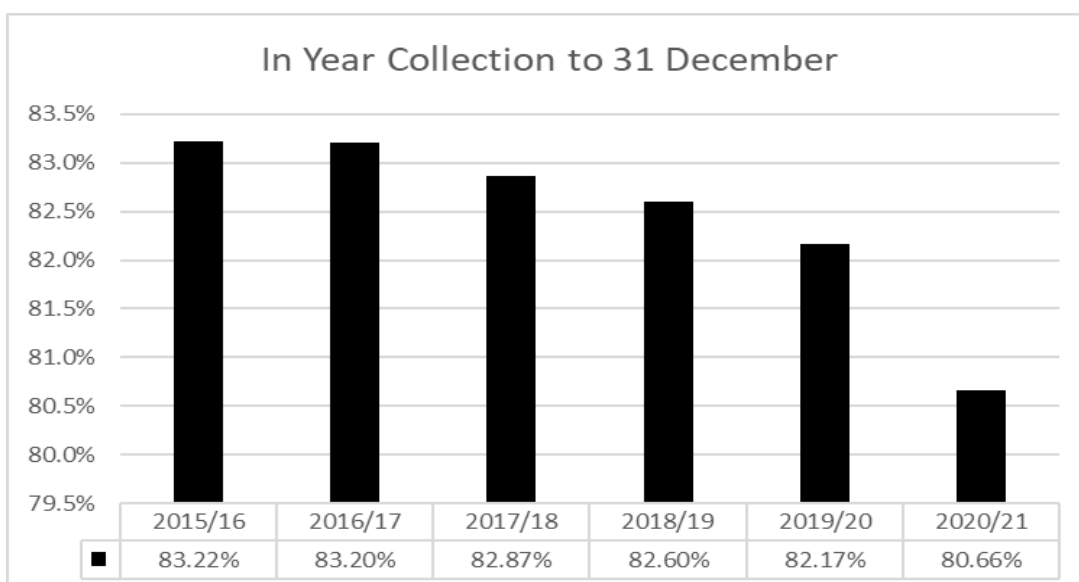
<i>Promoting a prosperous, inclusive and sustainable economy</i>	<ul style="list-style-type: none"> Economic Development – sponsorship / advertising - £0.075m
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<i>Supporting people to lead independent, healthy & active lives</i>	<ul style="list-style-type: none"> • Older People – residential placements - £0.230m • Learning Disabilities - £0.395m • Income Contributions - £0.273m
<i>Creating a safe and sustainable place for future generations</i>	<ul style="list-style-type: none"> • Review of cultural trusts - £0.150m
<i>Organised to deliver</i>	<ul style="list-style-type: none"> • Review of support services - £0.250m • Review of communications / design - £0.025m

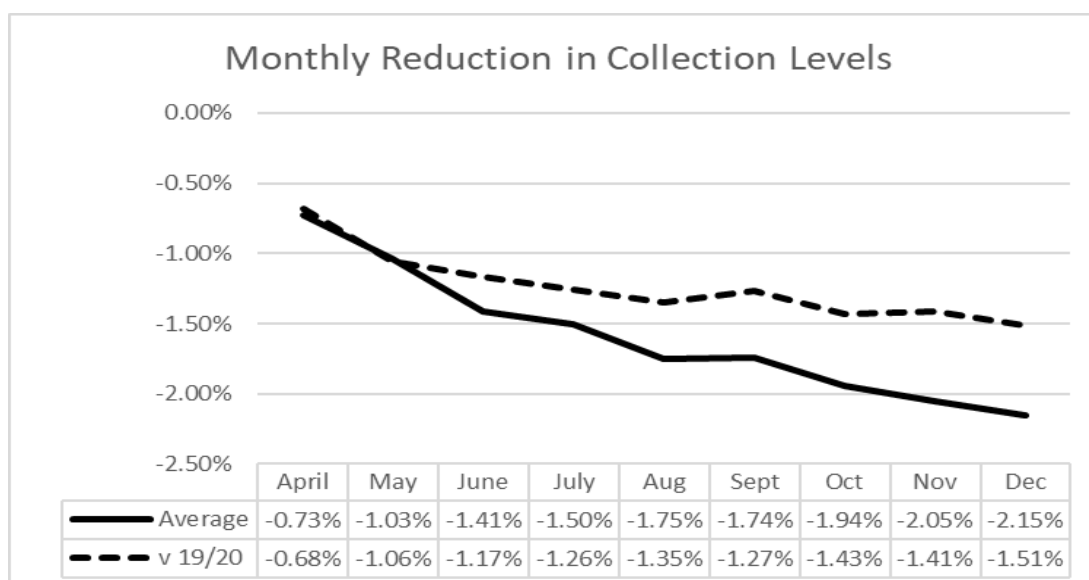
Impact on Local Taxes

Council Tax

- 2.9 The amount of income the Council will generate from Council Tax is dependent on two main factors, firstly the collection levels and secondly, the number of Band D properties on the Valuation Roll.
- 2.10 Monitoring of Council Tax collection levels is carried out on a monthly basis. The graph that follows sets out collection performance to 31 December 2020.



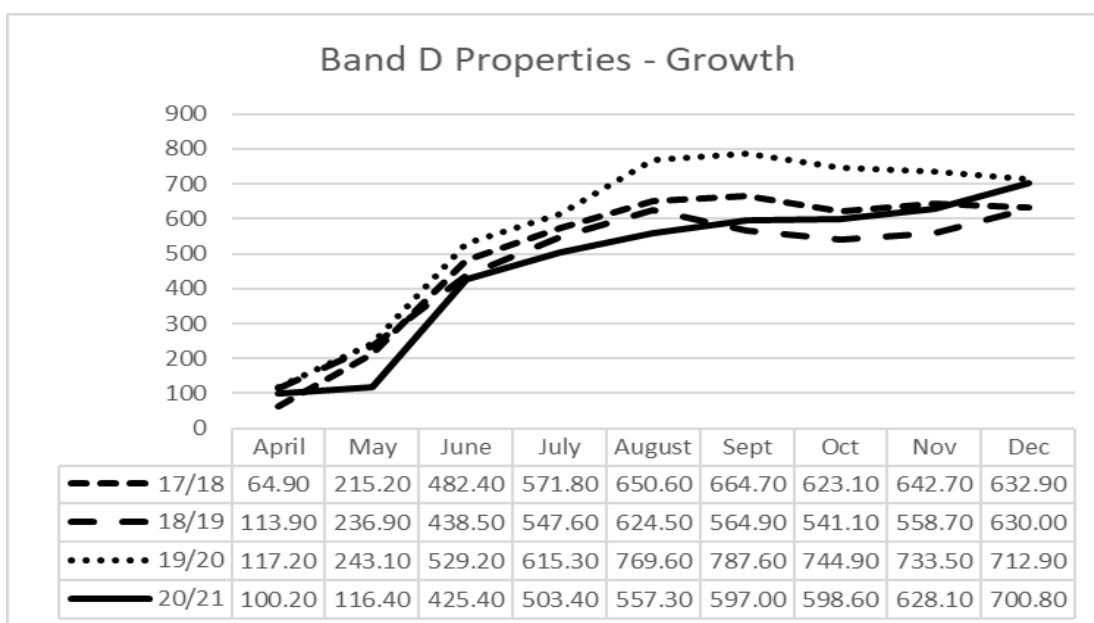
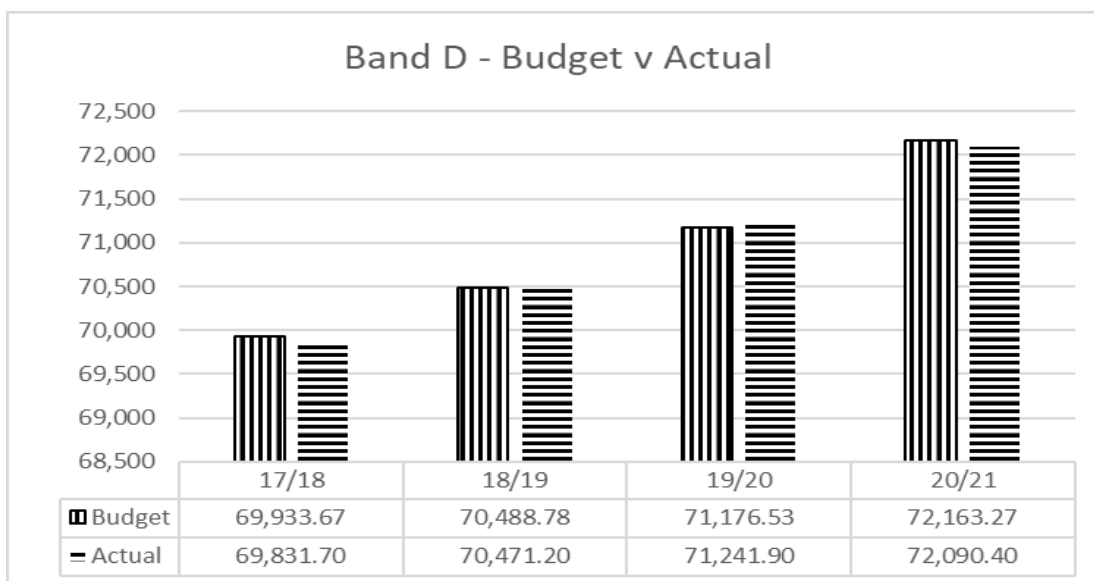
- 2.11 Collection levels have reduced compared to previous years. Between 2015/16 and 2019/20 the average collection figure by 31 December was 82.81%. The actual collection figure to 31 December 2020 was 80.66% which is a reduction of 2.15% compared to the historical average and 1.51% on 31 December 2019.



- 2.12 It is assumed that extension of the Job Retention Scheme to 30 April 2021 is supporting Council Tax collection. In light of the latest update and experience to date, potential non-collection levels in the current financial year have been re-modelled more positively at 2%, 3% and 4% in the table below (previous assumptions were 2% - 6% non-collection). However, potential collection levels in future years remain uncertain and Council Tax collection will continue to be kept under review.

2% reduction	£1.9m
3% reduction	£2.85m
4% reduction	£3.8m

- 2.13 Secondly, in setting the Council's Revenue Budget, assumptions are made on increases in the number of Band D equivalent properties. The two graphs set out below suggest that there is a risk that the level of growth will be less than budgeted assumptions. This potentially affects not only current year budgets, but also future years because of the impact on the base level of income. The other factor of note is that the growth in the current year had been flattening but appears to have improved towards the end of calendar year 2020.



- 2.14 The potential financial consequences of a reduction in the budgeted assumptions of between 100 and 300 properties are set out in the following table.

100 properties	£0.132m
200 properties	£0.264m
300 properties	£0.396m

Non-Domestic Rates

- 2.15 The actual collection rate to 31 December 2020 was 78.44%, compared to 82.49% for the same period in 2019. However, because Non-Domestic Rates

bills were not issued until the end of June, comparisons with previous years are less meaningful. The current collection levels for Non-Domestic Rates are shown prior to the full impact of formal recovery action which recommenced in mid-November. The Council continues to provide the Scottish Government with monthly reporting on Non-Domestic Rates collection levels.

Impact on Arm's Length External Organisations (ALEOs)

- 2.16 Monthly service level agreement payments have been being paid as normal to all three Arm's Length External Organisations (Live Active Leisure, Culture Perth & Kinross and Horsecross Arts Ltd.) to assist with their cashflow as they continue to forecast and monitor the ongoing impact of Covid-19 upon their financial position.
- 2.17 Live Active Leisure have updated their financial planning assumptions based on the latest information available. The two main factors impacting on the latest projections are confirmation that the Job Retention Scheme will remain available for the remainder of the financial year and the assumption that it is likely that venues will not re-open this financial year. While both of these developments have a material impact, confirmation of the Job Retention Scheme has reduced the projected 2020/21 deficit significantly. After the application of Live Active Leisure Reserves, the Council's contribution may now be approximately £400,000 and this is reflected in the Council's financial planning.
- 2.18 As the end of this financial year approaches, consideration may have to be given to providing Live Active Leisure with additional financial support. Work will continue between officers of the Council and Live Active Leisure to further refine projections. Any proposal to provide additional funding to Live Active Leisure will be brought back to elected members at the appropriate forum agreed by the Council in the separate paper on governance arrangements on this Agenda.
- 2.19 The projected contribution to Culture Perth & Kinross in 2020/21 has been removed following discussions with officers as additional support will no longer be required in the current financial year (previously assumed at £200,000).

Impact on Other Areas

Housing Revenue Account

- 2.20 It is anticipated that the Covid-19 pandemic will result in additional costs/reduced income for the Housing Revenue Account (HRA) of £1.239 million (a small increase of £35,000 from the position last reported to Committee).
- 2.21 Across the Housing Revenue Account, net projected under spends of £749,000 have been identified to contribute towards the additional costs identified above.

- 2.22 The net effect of the variances set out above is a reduction in the contribution from the Revenue Budget to support Capital expenditure of £490,000.

Car Park Trading Account

- 2.23 Between 1 April and 31 July, in common with most Scottish local authorities, the Council did not charge for on or off-street parking. Income has not returned to prior year levels and, with restrictions in place and an increase in home working, this is not expected to improve in the current year. The forecast reduction in revenue from car parking has, therefore, been revised to **c£1.8 million** (a further increase of £300,000). This will be funded by the Car Park Trading Account Earmarked Reserve which, at 31 March 2020 stood at £1.183 million with any deficit in excess of the reserve being charged to the General Fund. This has implications both in the current financial year and, potentially, for the future operation of the Council's parking services.
- 2.24 The following table summarises the potential gross financial impact of Covid-19 in a range between **£26.0 million and £28.6 million**.

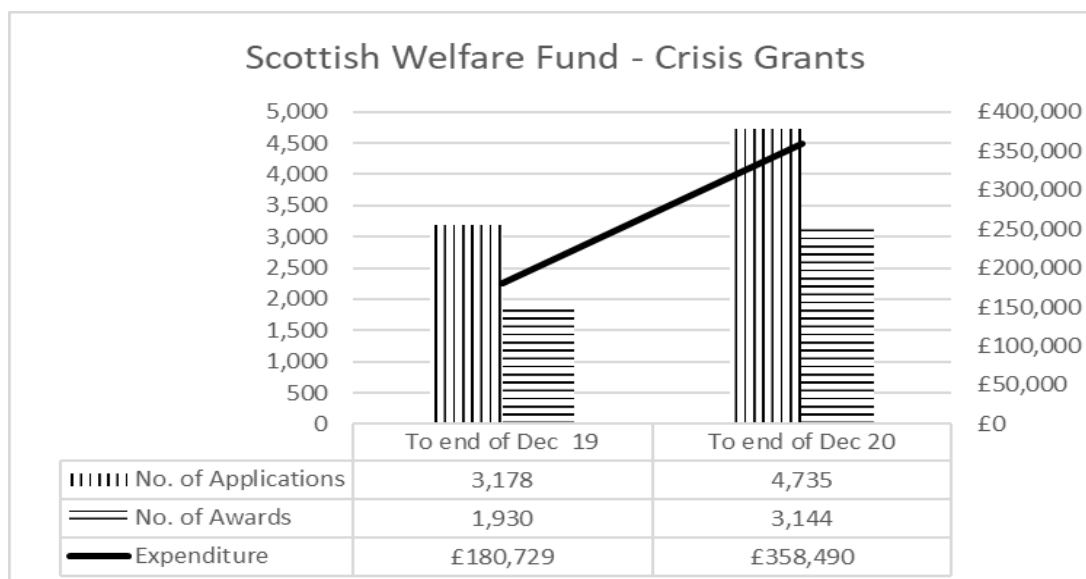
	Latest Estimate £m	<i>Last Update (25/11/20) £m</i>
Expenditure	12.6	12.4
Income	6.2	6.3
Approved Savings	1.3	1.7
Council Tax – collection levels	1.9 to 3.8	1.9 to 5.7
Council Tax – number of Band Ds	0.1 to 0.4	0.1 to 0.4
ALEOs	0.4	0.9 to 1.2
Housing Revenue Account	1.2	1.2
Car Park Trading Account	1.8	1.5
TOTAL POTENTIAL GROSS IMPACT	25.5 to 27.7	<i>26.0 to 30.4</i>

- 2.25 **ACTION:** The Committee is asked to note the potential gross financial impact of Covid-19 of between £25.5 million and £27.7 million.

Other Financial Information

Crisis Grants

- 2.26 As at 31 December 2020, the Council had received 4,735 applications for Crisis Grant funding. Of those applications, 3,178 have been paid, with a total value of c£358,000.
- 2.27 This area of activity has seen a significant growth in demand which is set out in the following graph.



Covid-19 Business Support Grants

- 2.28 Since March 2020, the Council has provided advice and support to local businesses experiencing financial challenges as a result of restrictions and regulations introduced to control the spread of Covid-19. The Council has delivered financial support from a number of Scottish Government grant schemes. To date, around £40 million has been distributed to more than 3,800 businesses. A recurring feature of these grant schemes has been that they evolved rapidly with changing parameters and complexity and had to be delivered within very challenging timescales.
- 2.29 Several additional schemes have been announced recently which will be launched early in 2021. For some of the schemes, at the time of writing, the parameters have not been set by the Scottish Government and will require the Council to be agile and flexible to allow an efficient and timely delivery.
- 2.30 A list of current and future schemes is provided below with Scotland wide funding allocations:
- Taxi and Private Vehicle Hire Support Fund - £19m
 - Top Up Support for Larger Hospitality Businesses - £40m
 - Additional January Grant for Hospitality Businesses - £19m
 - Contingency Fund Plus (travel agents, brewers, indoor football) - £7.3m
 - Newly Self-Employed Hardship Fund - £15m
 - Mobile Close Contact Services Fund - £15m
 - Support for B&B and Guest Houses - £3m
 - Self-catering Businesses - £tbc
 - Strategic Framework Business Fund - as of 18 December 2020, £935,850 has been paid to 277 qualifying businesses covering well over 300 business premises.

- 2.31 The Scottish Government has also recently allocated £831,463 to Perth & Kinross Council in 2020/21 designated as the 'COVID-19 Local Authority Discretionary Fund.' The Council must take into account general criteria set out by the Scottish Government and then agree specific local criteria in order to launch the Discretionary Fund as quickly as possible.
- 2.32 On that basis the following criteria has been developed to recognise known gaps in the previously announced scheme to take forward the Local Authority Discretionary Fund:
- Businesses that supply goods or services to those who have been closed or restricted (e.g. home-based bed & breakfast businesses; cleaning businesses; tradespeople and facilities management businesses)
 - Businesses facing hardship as an indirect consequence of the current travel restrictions (e.g. kennels and catteries; tour guides; removals),
 - Businesses who do not have business premises and are therefore ineligible for grants attached to the non-domestic rates system. (some of which may be picked up in a national fund- e.g. close contact businesses such hairdressers and beauticians who do not operate out of business premises).
- 2.33 The fund will pay out one off grants of a flat rate of £2,000 to businesses that have not received any Covid-19 related grant support
- 2.34 It is further proposed that authority be delegated to the Head of Planning & Development to progress the scheme. Should any material changes be made in coming weeks, a further update will be provided to the appropriate elected members following consideration of the governance arrangements on the Agenda for this Special Meeting of the Council.
- 2.35 **ACTION:** The Council agrees the criteria that will apply to the Covid-19 Local Authority Discretionary Fund and delegates authority to the Head of Planning and Development to progress the scheme.
- 2.36 On 15 January 2021 the Council was also made aware of an additional allocation of £17.280 million from the Covid-19 Strategic Framework Business Fund. This funding has been made available on the basis that this is the maximum cost of continued support to businesses, assuming that the Council remains subject to the highest level of restrictions until 31 March 2021. By the end of January around £8 million will have been passed across to businesses.

3. **POTENTIAL MITIGATION MEASURES**

- 3.1 This section of the report sets out several mitigation measures which are being applied in helping to address the financial impact of Covid-19 on the Council in 2020/21.

Scottish Government Funding

- 3.2 The Council has received additional funding from the Scottish Government to support the response to Covid-19. The funding notified to date is set out in the following table.
- 3.3 Of the **£16.449 million** of funding allocated to date, £9.449 million is directed towards specific areas of activity and £7 million is to support the Council's wider response. This represents an increase of £1.188 million on the position reported to Committee in November and is made up of additional funding in relation to Tackling Financial Insecurity (£368,000) and anticipated funding in relation to Social Care (£820,000).

	Latest Information £m	<i>Last Update (25/11/20) £m</i>
Funding to support specific initiatives / meet specific demand		
Scottish Welfare Fund	£0.410m	£0.410m
Food Poverty (1)	£0.621m	£0.621m
Food Poverty (2)	£0.595m	£0.595m
Registration Service	£0.017m	£0.017m
P&K IJB	£4.650m	£3.830m
Teachers / Support Staff	£1.284m	£1.284m
Education Logistics Funding	£0.592m	£0.592m
Community Mental Health – Planning	£0.104m	£0.104m
Community Mental Health – Children & Young People	£0.311m	£0.311m
Parental Support - Employability	£0.147m	£0.147m
Council Tax Reduction Scheme	£0.350m	£0.350m-
Tackling Financial Insecurity	£0.368m	-
Sub-Total	£9.449m	£8.261m

Funding to support Council Response / Impact on Council		
Hardship Fund	£1.378m	£1.378m
Barnett Consequentials (1)	£4.272m	£4.272m
Barnett Consequentials (2)	£1.350m	£1.350m
Sub-Total	£7.000m	£7.000m
TOTAL (to date)	£16.449m	£15.261m

- 3.4 **ACTION:** The Council is asked to approve the allocation of the additional funding of £1.188 million of Scottish Government funding towards the Council's Covid-19 response.
- 3.5 In line with discretions agreed by the Scottish Government, the Council has previously approved the application of £2.250 million of funding for Early Learning and Childcare towards the Council's Covid-19 response.

Non Covid-19 Revenue Monitoring

- 3.6 Operational savings from the closure of Council buildings and the temporary suspension of services due to Covid-19, together with normal budget variances, has given rise to a projected net under spend of £5.977 million across other expenditure budgets. The projected net under spend has increased by £243,000 from the position reported to Committee in November and will continue to be reviewed.

Projected Over / Under Spends		
	Latest Estimate	<i>Last Update (25/11/20)</i>
	£'000	£'000
Staff Costs	(1,334)	(895)
Complex Behavioural Issues (Young People)	(424)	(392)
Property Costs – energy/water/maintenance	(2,344)	(2,225)
Partner Providers	(225)	(225)
Slippage on vehicle replacements	(365)	(365)
Housing Support / Care & Repair	(281)	(311)
Other Social Care	(842)	(832)
Other Education & Children's Services (net)	(543)	(433)
Other Communities (net)	(541)	(537)
Other Corporate & Democratic Services (net)	(547)	(315)

GROSS PROJECTED UNDER SPEND	(7,446)	(6,530)
School Transport	297	297
Additional Support Needs	148	208
Foster / Kinship Care	281	291
Severe Weather Event – August 2020	743	-
GROSS PROJECTED OVER SPEND	1,469	796
NET PROJECTED UNDER SPEND	(5,977)	(5,734)

- 3.7 The two main reasons for the increase in the Gross Projected Under Spend are updated assumptions in relation to staff and property costs. The net projected under spend on Other Social Care assumes the carry forward of £621,000 to support social care activity in 2021/22. The net projected under spend in Communities includes a contribution of £430,000 towards the cost of compensation payments in relation to the Almondbank Flood Protection Scheme as reflected in the separate Capital monitoring report to this special meeting of the Council.
- 3.8 The Gross Projected Over Spend now includes the assumed contribution from the Council towards expenditure caused by the severe weather event in August 2020. It is assumed that expenditure in excess of this will be reclaimed from the Scottish Government through the Bellwin Scheme.
- 3.9 **ACTION:** The Council is asked to approve the application of £5.977 million of Revenue budget under spends towards the Covid-19 response.
- 3.10 In summary the net forecast position for the Council is currently estimated at between a “surplus” of **£1.6 million** and net deficit of **£0.6 million**. There is still huge uncertainty regarding the final outturn for 2020/21 and these figures will be updated and refined as the financial year progresses and more information becomes available. This position is summarised in the following table and includes the measures identified to date by officers to reduce, as far as possible, the impact of Covid-19 on the current year’s Revenue Budget. This work will continue over the coming months and beyond.

POTENTIAL FINANCIAL CHALLENGE		
	Latest Estimate £m	Last Update (25/11/20) £m
Total Potential Gross Impact (see 2.26 above)	25.5 to 27.7	26.0 to 30.4
Scottish Government Funding (see 3.4 above)	(16.4)	(15.3)
Early Learning & Childcare (see 3.6 above)	(2.3)	(2.3)
Other projected under spends (see 3.7 above)	(6.0)	(5.7)
HRA Contribution	(1.2)	(1.2)
Car Park Trading Account	(1.2)	(1.2)
REMAINING POTENTIAL GAP (NET)	(1.6) to 0.6	0.3 to 4.7

- 3.11 **ACTION:** The Council is asked to note a remaining net financial gap of between a surplus of £1.6 million and a deficit of £600,000.
- 3.12 It is reasonably foreseeable that many of the issues identified above i.e. additional expenditure, reduced income and delays in the delivery of approved savings will be replicated in financial year 2021/22 as a result of any ongoing response to the Covid-19 pandemic as well as adjustments and adaptations that will be required to the provision of services in a 'Covid world'. An economic wellbeing plan is also being developed which will require to be funded and this will be part of a wider recovery. More information on the extent of these issues will be included in the 2021/22 Provisional Revenue Budget report that the Council will consider on 3 March 2021. However, the position set out on 3 March 2021 will undoubtedly change and elected members will be kept up to date with regular updates to the appropriate forum throughout 2021/22.
- 3.13 Given the significant levels of uncertainty the Council faces in 2021/22 and beyond it is considered prudent to establish an earmarked Reserve to manage this position.
- 3.14 Furthermore, based on the latest information set out in the table at paragraph 3.10 there is now a possibility that the Council will under spend in 2020/21. Should this be the case, approval is sought to apply any final under spend in the current financial year to the earmarked Reserve for Covid-19 to support the Council's response in future financial years.
- 3.15 **ACTION:** The Council is asked to approve the creation of an earmarked Reserve for Covid-19 and, on the basis that the Council under spends in 2020/21, approval is sought to apply this amount to the earmarked Reserve for Covid-19 to support the response in future financial years.

4. **OTHER POTENTIAL COST PRESSURES**

- 4.1 Following the First Minister's statement on 19 December and the imposition of new national restrictions from 26 December, the Council has been working with Scottish Government and COSLA officials to implement new business support measures. The Council has also maintained Education and Social Care provision.
- 4.2 Work remains ongoing to quantify the totality of any additional costs arising from the Council's response to Covid-19 in light of the new restrictions set in place.

5. **OTHER POTENTIAL MITIGATION MEASURES**

- 5.1 As set out in section three and four, the Council is likely to face significant financial challenges over the short, medium and longer term. The purpose of this section is to set out how the Council could respond to the challenge set out above.

Further Scottish Government Funding

- 5.2 Cosla continues to lobby the Scottish Government for additional financial support for Councils.
- 5.3 In addition to previously announced funding to support Education Recovery, a further allocation of £30 million was made available. Councils are expected to utilise all initial allocations before bidding for a share of this additional sum.
- 5.4 Perth & Kinross Council's "bid", submitted on 2 December 2020 was for £2.790 million (£2.120 million for 2020/21 and a further £670,000 for 2021/22). Elected members will be notified of the outcome of this process in due course.
- 5.5 At this time there is no further formal update on the Loss of Income Scheme and how much funding the Council will receive. However, the Council has been made aware of a potential indicative allocation of c£1.5 million but this is subject to confirmation and has not yet been included in the financial projections set out above.
- 5.6 On 13 January the Scottish Government announced an additional £45 million for the purchase of additional digital devices, to recruit additional staff and to provide additional family support to support to schools and families as they deal with the challenges of remote learning during lockdown. The distribution of this funding has still to be agreed.
- 5.7 The Council may also receive further additional funding in relation to other activities and this will be reported when information becomes available.

Reserves

- 5.8 Any proposals to apply Reserves to offset expenditure arising from the Council's response to Covid-19 will be included within the updated Reserves Strategy that the Council will consider on 3 March 2021.

Treasury Management

- 5.9 Elected members have been previously advised of a number of potential treasury management options that might be available to support the Council's response to Covid-19. Recommendations on the application of these measures will be reported to Council in March as part of the consideration of the Council's 2021/22 Revenue Budget.

Other Savings

- 5.10 Work will continue across the Council to mitigate the financial impact of Covid-19 on the Revenue Budget, both in the current financial year and in future years.

- 5.11 **ACTION:** The Council is asked to note the options that may be available to contribute towards the financial consequences of Covid-19.

6. OTHER 2020/21 ISSUES

- 6.1 In order to ensure that the 2020/21 Management Budgets continue to reflect the operational requirements of the Council, there are a number of adjustments required. These are summarised below and set out in detail in Appendix 1.

Movements in Funding

- 6.2 Since the 2020/21 Final Revenue Budget was updated by the Strategic Policy & Resources Committee on 25 November 2020 (Report No. 20/225 refers), notification has been received of additional resources in the current financial year from a number of sources as set out below.

Scottish Government: Revenue Support Grant

- Teacher Induction Scheme: £185,771 (Education and Children's Services)

- 6.3 The Scottish Government has advised that the increase in Revenue Support Grant of £185,771 identified above will be made through a redetermination of the Council's Revenue Support Grant. It is, therefore necessary to adjust both the budget for Education & Children's Services and Revenue Support Grant.

- 6.4 **ACTION:** The Council is asked to approve the adjustment set out at 6.2 above. This adjustment is reflected in Appendix 1 (Column 3) to this report.

Other Funding (£1,965,796)

- 6.5 Other funding amounting to £1,965,796 will be paid outside the Revenue Support Grant mechanism as Other Grant income and is therefore cost neutral in terms of the budget summary. The detail of this other funding is set out in Appendix 2.

- 6.6 **ACTION:** The Council is also asked to note the receipt of £1,965,796 of additional resources, with this funding being reflected within Education & Children's Services and Corporate & Democratic Services as additional grant income. The current projected outturn assumes that all these additional resources will be fully expended in 2020/21.

Movements in Reserves

Non-Domestic Rates

- 6.7 The Council has received a refund of approximately £668,000 in relation to Non-Domestic Rates. This refund covers a number of establishments, primarily across the school estate, and was anticipated in the Reserves

Strategy approved by Council on 6 March 2020. Approval is sought to transfer this to unearmarked Reserves and will be considered in the overall context of the Reserves Strategy that the Council will be asked to approve on 3 March 2021. **ACTION:** The Council is asked to approve the transfer of £668,000 from Education & Children's Services to unearmarked Reserves. This adjustment is reflected in Appendix 1 (Column 5) to this report.

Cultural Activities

- 6.8 The 2020/21 Revenue Budget includes a recurring budget of £500,000 towards supporting Cultural Activities. Due to Covid-19, £250,000 of activity has been delayed. Approval is sought to transfer the projected under spend of £250,000 to the earmarked Reserve for Culture.
- 6.9 **ACTION:** The Council is asked to approve the transfer of £250,000 from Corporate & Democratic Services to earmarked Reserves. This adjustment is reflected in Appendix 1 (Column 5) to this report.

Community Investment Fund

- 6.10 The 2020/21 Final Revenue Budget includes £300,000 for the Community Investment Fund. Due to the Covid-19 pandemic it has not been possible to take this forward in the current financial year. Approval is sought to transfer this to the earmarked Reserve for the Community Investment Fund to be drawn down in future financial years.
- 6.11 **ACTION:** The Council is asked to approve the transfer of £300,000 from Corporate & Democratic Services to earmarked Reserves. This adjustment is reflected in Appendix 1 (Column 5) to this report.

Public Sector Leadership

- 6.12 The Council has been working in partnership with the Scottish Government and the third sector on the development of a broader pilot public sector leadership offer within social care. The Scottish Government has committed, in principle, to contributing to the overall cost of the project. Approval is sought to commit Council resources of £40,000 over two years to support this work.
- 6.13 **ACTION:** The Council is asked to approve a contribution from Reserves of £40,000 over two financial years to contribute to a public sector leadership offer.

7. CONCLUSION AND RECOMMENDATIONS

- 7.1. Covid-19 has resulted in the Council facing a significant financial challenge, in terms of additional expenditure, reduced income and non-achievement of savings.

- 7.2. The latest gross financial impact of Covid-19 is estimated at between £25.5 and £27.7 million. Mitigation measures of £27.1 million have been identified resulting in a potential net outturn position of between a surplus of £1.6 million and deficit of £600,000.
- 7.3. The Council's financial position in 2021/22 will, however, remain subject to change and elected members will be updated as the position develops.
- 7.4. The Council is requested to:
- i) Note the potential gross financial impact of Covid-19 of between £25.5 million and £27.7 million.
 - ii) Agree the criteria that will apply to the Covid-19 Local Authority Discretionary Fund and delegates authority to the Head of Planning and Development to progress the scheme.
 - iii) Note the allocation of £16.4 million of Scottish Government funding towards the Council's Covid-19 response.
 - iv) Note the application of £6.0 million of other net under spends towards the Covid-19 response.
 - v) Note the current projected net outturn position for 2020/21 of between a surplus of £1.6 million and deficit of £600,000.
 - vi) Approve the creation of an earmarked Reserve for Covid-19 and, that, on the basis that the Council under spends in 2020/21, this amount is transferred to the earmarked Reserve for Covid-19 to support the response in future financial years.
 - vii) Approve the adjustments to management budgets set out in section six.

Author(s)

Name	Designation	Contact Details
Scott Walker	Chief Accountant	chxfinance@pkc.gov.uk

Approved

Name	Designation	Date
Stewart Mackenzie	Head of Finance	14 January 2021
Karen Donaldson	Chief Operating Officer	19 January 2021

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All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	None
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Corporate Plan

- 1.1 The Council's Corporate Plan 2018 – 2022 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- (i) Giving every child the best start in life;
 - (ii) Developing educated, responsible and informed citizens;
 - (iii) Promoting a prosperous, inclusive and sustainable economy;
 - (iv) Supporting people to lead independent, healthy and active lives; and
 - (v) Creating a safe and sustainable place for future generations.

- 1.2 This report relates to all these objectives.

2. Resource Implications

Financial

- 2.1 There are no direct financial implications arising from this report other than those reported within the body of the main report.

Workforce

- 2.2 There are no direct workforce implications arising from this report other than those reported within the body of the main report.

Asset Management (land, property, IT)

- 2.3 There are no direct asset management implications arising from this report other than those reported within the body of the main report.

3 Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The information contained within this report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and has been assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.6 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

4. Consultation

Internal

- 4.1 The Executive Officer Team have been consulted in the preparation of this report.

2. BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

3. APPENDICES

Appendix 1 –	2020/21 Management Budget
Appendix 2 –	2020/21 Other Funding

APPENDIX 1

**PERTH & KINROSS COUNCIL GENERAL FUND
2020/21 REVENUE BUDGET - SUMMARY**

	(1)	(2)	(3)	(4)	(5)	(6)
	2020/21 Council Approved Budget Mar-20	Previously Approved Adjustments (Net)	Movements in Funding	Virements	Movements in Reserves	2020/21 Revised Mgt Budget
<i>Reference: Section in Report</i>		1.2	2.3	2.4	2.5	
SERVICE	£'000	£'000	£'000	£'000	£'000	£'000
Education & Children's Services	196,529	1,952	186		(668)	197,999
Housing & Environment	62,983	4,886				67,869
Corporate & Democratic Services	33,874	820			(550)	34,144
Sub - Total: Service Budgets	293,386	7,658	186	0	(1,218)	300,012
Corporate Budgets						
Health & Social Care	60,149	572				60,721
Contribution to Valuation Joint Board	1,297					1,297
Capital Financing Costs	12,895					12,895
Interest on Revenue Balances	(200)					(200)
Net Contribution to/(from) Capital Fund	1,530					1,530
Contribution to/(from) Insurance Fund	200					200
Contribution from Renewal and Repair Fund	0					0
Trading Operations Surplus	(550)					(550)
Support Service External Income	(2,088)					(2,088)
Un-Funded Pension Costs	1,595					1,595
Apprenticeship Levy	680					680
Council Tax Reduction Scheme	6,200	350				6,550
Discretionary Relief	150					150
COVID	0					0
Net Expenditure (General Fund)	375,244	8,580	186	0	(1,218)	382,792
Financed By:						
Revenue Support Grant	(198,921)	(28,441)	(186)			(227,548)
Ring Fenced Grant	(15,499)	(44)				(15,543)
Non Domestic Rate Income	(56,569)	18,693				(37,876)
Council Tax Income	(94,509)					(94,509)
Capital Grant	(1,600)	(53)				(1,653)
Total Financing	(367,098)	(9,845)	(186)	0	0	(377,129)
Financed from/(returned to) Reserves including use of Budget Flexibility (£3.232m)	8,146	(1,265)	0	0	(1,218)	5,663

APPENDIX 2

Other 2020/21 Funding

Education & Children's Services	
Scottish Government – Tayside Regional Improvement Collaborative	£547,053
Scottish Government – Winter Plan for Social Protection	£349,570
Scottish Government – Free School Meals	£118,000
Scottish Government – Developing Young Workforce School Coordinator	£104,497
Corporate and Democratic Services	
Scottish Government – Young Persons Guarantee	£785,356
Department for Transport – Onstreet Residential Chargepoint Scheme	£61,320
TOTAL	£1,965,796

PERTH AND KINROSS COUNCIL

27 January 2021

COMPOSITE CAPITAL BUDGET 2020/29 & HOUSING INVESTMENT PROGRAMME 2020/25 – MONITORING REPORT NUMBER No.3

Report by Head of Finance (Report No. 21/9)

PURPOSE OF REPORT

This report provides a summary position to date for the 9-year Composite Capital Programme for 2020/21 to 2028/29 and the 5-year Housing Investment Programme 2020/21 to 2024/25 and seeks approval for adjustments to the programmes.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Strategic Policy and Resources Committee approved an updated nine-year gross Composite Capital Budget for 2020/21 to 2028/29 totalling £598,382,000 and a five-year gross Housing Investment Programme for 2020/21 to 2024/25 totalling £68,642,000 at its meeting on 25 November 2020 (report 20/226 refers).
- 1.2 The Covid-19 pandemic continues to have a significant impact upon the delivery of the Council's Capital budget in 2020/21. As reported to Committee in November 2020, the first national lockdown in the earlier part of last year saw the temporary suspension of all non-essential construction in Scotland between April and early July 2020 with staff normally engaged in delivering the Capital programme being redeployed to support the provision of essential services. The focus then shifted to ensuring that the Council's learning estate was appropriately adapted to allow a safe return to school-based education from early August. The severe weather events in August 2020, which caused significant damage to local infrastructure; Council properties and Perth Leisure Pool, also required resources to be re-deployed from the delivery of planned Capital works.
- 1.3 Responding to the immediate and ongoing requirements placed upon the Council by Covid-19, together with the above unplanned work has necessarily impacted upon the monitoring and delivery of the approved Capital programme. As reflected in this monitoring report and the attached appendices, the impact in the current year has led to a significant effect upon the delivery of the Capital Programme over the next 3 years in terms of the re-phasing of planned expenditure.
- 1.4 This report is based upon expenditure to 31 December 2020. Eventual expenditure on the Capital programme in 2020/21 will be determined by factors such as the pace at which contractors can mobilise on site; internal capacity to procure, manage and deliver Capital expenditure given the continuing demands of responding to the Covid pandemic; any re-imposition of restrictions on construction and the annual risk to external works arising

from winter weather. Capital expenditure in 2020/21 will, therefore, be significantly lower than in previous years.

2. COMPOSITE CAPITAL PROGRAMME – GROSS CAPITAL RESOURCES

- 2.1 The current estimated total gross capital resources (which includes movements in Capital Receipts, Capital Grants, Contributions and Borrowing) available over the nine years 2020/21 to 2028/29 amount to £600,116,000. Movements from the revised Composite Capital Budget approved on 25 November 2020 are summarised in the table below, and the constituent elements for each year are shown at Appendix I.

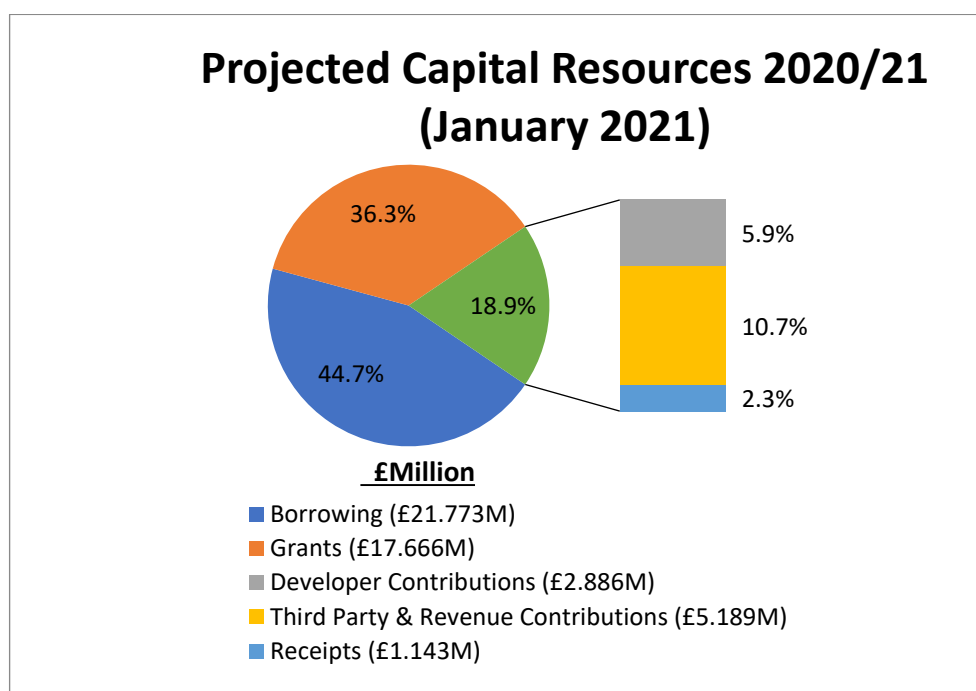
	Total Composite Gross Capital Resources		
	Approved 25 Nov 2020	Current Estimate	Movement
	£'000	£'000	£'000
2020/21	80,551	48,657	(31,894)
2021/22	129,717	116,312	(13,405)
2022/23	164,736	157,240	(7,496)
2023/24	73,784	122,706	48,922
2024/25	42,342	47,836	5,494
2025/26	29,766	29,780	14
2026/27	26,834	26,855	21
2027/28	24,728	24,766	38
2028/29	25,924	25,964	40
Total	598,382	600,116	1,734

- 2.2 The **Scottish Government Grant** of £1,000,000 from the Regeneration Capital Fund for the Letham Community Wellbeing Hub has now been included in Appendix I and II (Section 3.5.2). The only other significant movement in Scottish Government grants is the rephasing of the grant of £40,000,000 from Transport Scotland for the Cross Tay Link Road in line with the revised profile of expenditure (see Section 3.3.4).
- 2.3 **Commercial Property receipts** are projected to increase by £271,000 over the current and next financial year. After allowing for an increase in expenditure of £25,000 on the Commercial Property Investment Programme (see Section 3.3.6), receipts to be carried forward to future years have increased by £246,000.
- 2.4 There is an increase in projected **Third-Party Contributions** of £273,000 relating to various projects within the Communities programme. This includes £72,000 from TACTRAN for Cycling Walking & Safer Streets (Section 3.3.2), £60,000 from a developer towards new Traffic Signals in Kinross (Section 3.3.3), £130,000 for works at Kinnoull Hill and £62,000 for works at The Knock, Crieff (Section 3.3.5). This is offset by a reduction of £80,000 in contributions on the Local Full Fibre Network (LFFN) project (section 3.3.4) due to a reduction in expenditure. There is also an increase in **Revenue Contributions** of £430,000, relating to the Almondbank Flood Protection Scheme (Section 3.3.7).

- 2.5 The projected **Borrowing Requirement** in 2020/21, which is effectively the balancing item for resources, is £21,773,000. This is £15,298,000 lower than the Borrowing Requirement approved by this Committee on 25 November 2020 and is a result of the significant rephasing of expenditure and resources in the current year.
- 2.6 There is a corresponding increase in the total Borrowing Requirement in the subsequent years 2021/22 to 2028/29 of £15,298,000 to £343,542,000, resulting in no overall movement in the amount of borrowing over the 9-year programme.
- 2.7 All movements in the Borrowing Requirement are shown in the Proposed Budget Adjustment column within Appendix II, and summarised in the table below:

	2020/21	2021/22	2022/23	Later Years	Total
	£'000	£'000	£'000	£'000	£'000
Movements arising from re-phasing of expenditure and receipts (Appendix II)	(15,298)	1,962	(38,909)	52,245	0
Increase/(Decrease) in Borrowing Requirement	(15,298)	1,962	(38,909)	52,245	0

- 2.8 The chart below shows the Capital Resources required to fund the 2020/21 Composite Capital Programme following the proposed budget adjustments detailed in this report.



3. COMPOSITE CAPITAL PROGRAMME – EXPENDITURE

3.1 Total Expenditure and Proposed Budget Adjustments to the Current Programme

3.1.1 The Council at its meeting on 16 December 2020 approved the increase of £3,300,000 to the budget for Perth City Hall (report 20/256 refers) in order that the project could reach financial close. This was to be funded from slippage in current year programmes, and the approved adjustments, detailed below, have now been incorporated into Appendix II:

- Roads Asset Management - £2,532,000 from Structural Maintenance and £68,000 (net of income) from Unadopted Roads and Footways.
- Perth & Kinross Place-making - £200,000 from the Tay Street Environmental Improvements Place-making budget.
- Investment in Learning Estate - £500,000 from the Investment in Learning Estate programme.

3.1.2 Total expenditure (net of grants and contributions) to 31 December 2020 on the Composite Capital Programme amounts to £17,365,000. This represents 49% of the revised projected outturn for 2020/21 of £35,665,000 and is detailed at Appendix II and summarised as follows:

	Net Expenditure to 31 December 2020 (£'000)
Education & Children's Services - Expenditure	7,194
Education & Children's Services – Early Learning & Childcare Grant	(3,800)
Housing & Environment	11,753
Health and Social Care	160
Corporate & Democratic Services	2,058
Total	17,365

3.2 Education and Children's Services

3.2.1 The Executive Director (Education & Children's Services) has further updated the programme for their Service and proposes the following budget adjustments.

3.2.2 The ongoing pandemic has had a continuing impact on delivery of the current year's programme. As a consequence, there are several proposed adjustments to the phasing of current year budgets, which have been reflected in Appendix II.

3.2.3 The St. Ninians Primary School Upgrade project is nearing completion. Consequently, it is proposed that the contingency of £86,000 within the budget in 2020/21 is transferred to the Early Learning & Childcare budget in 2021/22. This will subsequently be applied to other projects within this programme as required. Further, the external and ventilation works have been accelerated at Perth Academy, and it is therefore proposed to bring forward £215,000 of the 2021/22 budget to 2020/21.

3.3 Communities

- 3.3.1 The Executive Director (Communities) has undertaken a full review of the programme for their Service. As this is the first opportunity to undertake a comprehensive review due to the redeployment of officers in responding to Covid, there are significant budget adjustments proposed.
- 3.3.2 With the loss of a significant portion of the year, as a result of lockdown, to deliver the programme, the priority within Traffic & Road Safety is undertaking grant funded works in the current financial year to meet the funding conditions. This includes the delivery of projects funded through Sustrans for Spaces for People and £72,000 of Cycling Walking & Safer Streets works at Aberargie funded by a Third-Party Contribution from TACTRAN. As a consequence of the reprioritised programme, a total of £933,000 of expenditure is proposed to move to 2021/22.
- 3.3.3 The Roads & Lighting programme has also been rephased, with a total reduction of £2,686,000 in expenditure in the current year, most of which has been transferred from the Structural Maintenance programme in respect of Perth City Hall (Section 3.1.1). However, the Traffic Signal Renewal programme has been accelerated, with a proposed increase of £177,000 for work in the current year and £29,000 in 2021/22. This includes two new crossings in Kinross which are being funded by a Third-Party Developer Contribution of £60,000. The remaining accelerated works are proposed to be funded by bringing forward future years budgets.
- 3.3.4 The Bridges, Improvement Schemes, Rural Flood Protection, Place-making and Other Planning programmes have also been rephased. This includes the rephasing of the Perth Transport Futures budget and £40,000,000 of Transport Scotland grant funding for the Cross Tay Link Road in line with the revised projected expenditure profile. In addition, the final allocation of expenditure on the Local Full Fibre Network (LFFN) project between Perth & Kinross and Angus Council's has resulted in a reduction of £80,000 in the Council's share of the estimated cost of the scheme. This also results in a corresponding reduction of grant from the Department of Culture, Media and Sport attributable to this Council.
- 3.3.5 Several of the programmes within Community Greenspace have also been impacted by the pandemic, with several projects being rephased. However, there has been additional Third-Party Contributions of £62,000 received for proposed works at The Knock, Crieff, which includes £50,000 from the SUEZ Communities Trust and £10,000 from Crieff Community Council. There has also been various Third Party Contributions totalling £130,000 towards proposed works at Kinnoull Hill, Perth, with £90,000 in the current year and £40,000 in 2021/22. In addition, £15,000 has been received from Sustrans under the Core Paths programme for works between Crieff and Comrie. From within the Community Greenspace Sites budget, it is proposed to allocate £150,000 for Auchterarder Public Park phased over 2020/21 and 2021/22 with the balance of the Greenspace budget being allocated to a number of smaller projects (£79,000) or carried forward to 2021/22 (£96,000).

- 3.3.6 Within the Property Division, the priority in the current year is Capital Improvement works, with other programmes moving to 2021/22. Under the Commercial Property Investment Programme, much of the expenditure is being rephased to 2021/22, however, there is also a proposed increase in expenditure totalling £25,000 over various projects. This increase in expenditure is funded from the Commercial Property Receipts brought forward to be applied in the programme.
- 3.3.7 Within the Prudential Borrowing programme, additional disposal receipts of £6,000 have been received for the sale of skips and it is proposed to increase the expenditure budget accordingly. As a result of the lockdown, the remaining landscaping work at the Crematorium will now be undertaken in the spring and it is proposed to move the budget to 2021/22, whilst the budgets for Smart City Waste and LED Street Lighting are proposed to be rephased over future years. There are additional costs of £430,000 for the Almondbank Flood Protection scheme as a result of ongoing negotiations for land compensation costs and fees. It is proposed that these are funded by a Revenue Contribution.
- 3.3.8 The Council is still dealing with the repair works related to bridges and structures which were damaged during the severe weather event on 12 August (Culteuchar Culvert, Glendevon Bridge and Tullyfergus Bridge). The Council has activated the Bellwin Scheme and intends to claim funding for all eligible temporary and emergency works from the Scottish Government, however, the first £743,022 of revenue costs must be funded by the Council. If the preferred engineering solution and community consultation identifies the need for a more permanent replacement, it is proposed that these costs be met initially from the Council's existing Bridge Refurbishment Programme capital budget. An update will be provided when there is further certainty on final proposals and estimated costs.
- 3.3.9 All the above proposed adjustments have been included in Appendix II.

3.4 Health & Social Care

- 3.4.1 Delivery of the Health & Social Care programme has also been impacted by Covid-19. This includes the purchase of Occupational Therapy (OT) equipment; the development and delivery of the Moving & Handling Office Refurbishments and the Development of Supported Tenancies. It is, therefore, proposed to move a total of £307,000 from the current year to next year, which is detailed at Appendix II.

3.5 Corporate & Democratic Services

- 3.5.1 It is anticipated that Perth City Hall will reach Financial Close early in 2021, with work expected to commence on site by the Spring. Consequently, in consultation with the Tay City Deal Programme Office, the drawdown of grant funding has been revised as reflected in Appendix II. As detailed at Section 3.1.1 above, an increase in the project budget of £3,300,000 was approved by

Council in December which has been included in 2022/23. It is anticipated that a revised profile of expenditure will be available following financial close.

- 3.5.2 The Council was offered a grant of £1,000,000 from the Scottish Government's Regeneration Capital Grant Fund for the Letham Community Wellbeing Hub project. A condition of this funding was that the Council would have appointed a preferred supplier by 31 March 2021. However, due to COVID-19 this date is now unachievable. Therefore, the Council has been in discussion with the Scottish Government to roll forward the grant into 2021/22. Initial feedback from these discussions has been positive as a number of projects have been impacted in a similar way. In the meantime, the budget has been increased accordingly in Appendices I and II, together with the grant, which has been included in 2021/22 subject to formal confirmation from the Scottish Government.
- 3.5.3 There have been small movements in the profile of expenditure on the Swift Social Work System Replacement. This represents the revised timing of expenditure on the various components of the programme between years, with the new system still on track to be completed by June 2022.

4. HOUSING INVESTMENT PROGRAMME

- 4.1 The current estimated expenditure, net of contributions, for the Housing Investment Programme over the 5 years 2020/21 to 2024/25 remains unchanged at £68,642,000 in total. Movements from the previous estimates approved by the Council on 25 November 2020 are as follows and are detailed in Appendix III:

	Approved 25 November 2020	Current Estimate	Movement
	£'000	£'000	£'000
2020/21	14,641	15,341	700
2021/22	10,056	9,920	(136)
2022/23	7,995	8,264	269
2023/24	11,275	11,608	333
2024/25	24,675	23,509	(1,166)
Total	68,642	68,642	0

4.2 Total Expenditure to 31 December 2020 (Housing Investment Programme)

Net expenditure for 2020/21 to 31 December 2020 amounts to £7,470,000 which is 49% of the revised projected outturn of £15,341,000. Housing receipts amount to £258,000, giving a borrowing requirement of £7,212,000 for the year to date.

- 4.3 The Executive Director (Communities) has reviewed the Housing Investment Programme and proposes some adjustments outlined below.
- 4.4 It is proposed to allocate £548,000 (net of Scottish Government grant and Council tax income) from the New Build Future Developments budget in 2021/22 to various schemes in 2020/21 as follows:

- Glebe, Scone - £81,000 for additional road construction
 - Ardler Road, Meigle - £451,000 (net of Grant and Council Tax income) to purchase a further 4 properties at the site
 - Fairfield, Perth - £6,000 for planning fees
 - Inchtute - £1,000 for professional fees
 - Lynedoch Road, Methven - £9,000 for professional fees.
- 4.5 Within the Environmental Improvements programme, it is proposed to bring forward a total of £311,000 from the 2024/25 budget as well as transfer £722,000 from the External Fabric budget in 2024/25. This is for the purpose of required improvements to retaining walls at various locations, and it is proposed that these amounts are spread across the whole 5-year programme.
- 4.6 The other proposed adjustments reflect accelerating expenditure in the current year on the Rewiring, Infrastructure & Property Refurbishments programme (£133,000 for works on voids) and External Fabric (£65,000 for the current approved programme of works).
- 4.7 Based upon the latest Revenue monitoring, estimated Capital Financed from Current Revenue (CFCR) in 2020/21 has increased by £34,000. As a consequence, the Housing Investment Programme borrowing requirement has reduced by this amount. This is the only movement in the total borrowing requirement over the five-years to 31 March 2025.

5. BUDGET OVERVIEW

- 5.1 The projected net expenditure outturn in 2020/21 for the Composite Capital Budget is £35.665 million and represents 51% of the 2020/21 budget as approved in March 2020 (£69.599 million).
- 5.2 Net expenditure to 31 December 2020 on the Composite Capital Budget is £17.365 million and represents 49% of the proposed revised budget for 2020/21 of £35.665 million.
- 5.3 In accordance with normal reporting practice, the revised budget is based on the latest projection of expenditure in year and is updated in each monitoring report. The revised budget in 2020/21 of £35.665 million reflects all budget adjustments approved this year together with the proposals within this report.
- 5.4 The projected net expenditure outturn in 2020/21 for the Housing Investment Programme is £15.341 million and represents 93% of the 2020/21 budget approved by the Housing and Communities committee in January 2020 (£16.520 million)
- 5.5 Net expenditure to 31 December 2020 on the Housing Investment Programme is £7.470 million which represents 49% of the proposed revised budget for 2020/21 of £15.341 million.
- 5.6 While the projections have been based on a comprehensive monitoring exercise, they remain subject to considerable uncertainty, particularly over the winter months, in delivering the programme.

6. RECOMMENDATIONS

6.1 It is recommended that Council

- (i) notes the contents of this report.
- (ii) approves the proposed budget adjustments to the nine-year Composite Capital Budget 2020/21 to 2028/29 set out in Sections 2 and 3 of this report and summarised at Appendices I and II.
- (iii) approves the proposed budget adjustments to the Housing Investment Programme Budget 2020/21 to 2024/25 set out in Section 4 of this report and summarised at Appendix III.

Author(s)

Name	Designation	Contact Details
John Jennings	Senior Accountant	CHXFinance@pkc.gov.uk

Approved

Name	Designation	Date
Karen Donaldson	Chief Operating Officer	19 January 2021
Stewart MacKenzie	Head of Finance	19 January 2021

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	None
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Corporate Plan

- 1.1 The Council's Corporate Plan 2018 – 2023 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

- 1.2 This report relates to all of these objectives.

2. Resource Implications

Financial

- 2.1 There are no direct financial implications arising from this report other than those reported within the body of the main report.

Workforce

- 2.2 There are no direct workforce implications arising from this report other than those reported within the body of the main report.

Asset Management (land, property, IT)

- 2.3 There are no direct asset management implications arising from this report other than those reported within the body of the main report.

3 Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The information contained within this report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and has been assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.6 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

4. Consultation

Internal

- 4.1 The Chief Executive and the Executive Directors have been consulted in the preparation of this report.

2. BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

3. APPENDICES

- Appendix I – Composite Capital Programme - Estimated Capital Resources 2020/21 to 2028/29
- Appendix II – Composite Capital Programme - Summary of Capital Resources and Expenditure 2020/21 to 2028/29
- Appendix III – HRA Capital Investment Programme – Summary of Capital Resources and Expenditure 2020/21 to 2024/25

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
Estimated Capital Resources 2020/21 to 2028/29

	Capital Resources 2020/21 (£'000) Revised Budget	Capital Resources 2021/22 (£'000) Revised Budget	Capital Resources 2022/23 (£'000) Revised Budget	Capital Resources 2023/24 (£'000) Revised Budget	Capital Resources 2024/25 (£'000) Revised Budget	Capital Resources 2025/26 (£'000) Revised Budget	Capital Resources 2026/27 (£'000) Revised Budget	Capital Resources 2027/28 (£'000) Revised Budget	Capital Resources 2028/29 (£'000) Revised Budget	Capital Resources TOTAL (£'000) Revised Budget
Capital Grants										
Cycling, Walking & Safer Streets (CWSS)	665	200	200	200	200	200	200	200	200	2,265
Early Learning & Childcare	3,800	0	0	0	0	0	0	0	0	3,800
Digital Inclusion	614	0	0	0	0	0	0	0	0	614
Town Centre Fund	2,321	200	0	0	0	0	0	0	0	2,521
Regeneration Fund	0	1,000	0	0	0	0	0	0	0	1,000
Perth Transport Futures - CTLR	0	10,000	30,000	0	0	0	0	0	0	40,000
General Capital Grant	10,266	24,305	21,416	14,000	14,000	14,000	14,000	14,000	14,000	139,987
Total Capital Grants	17,666	35,705	51,616	14,200	14,200	14,200	14,200	14,200	14,200	190,187
General Capital Receipts										
General Fund - Capital Receipts	362	12	1,062	250	250	250	250	250	250	2,936
General Fund - Housing Receipts	3	3	2	0	0	0	0	0	0	8
General Fund - Ring Fenced Receipts	403	286	260	300	300	300	300	300	300	2,749
Total General Capital Receipts	768	301	1,324	550	550	550	550	550	550	5,693
Commercial Property Receipts										
Capital Receipts brought-forward	2,644	2,672	2,279	2,904	2,904	2,904	2,904	2,904	2,904	2,644
Commercial Property Capital Receipts	403	1,402	625	0	0	0	0	0	0	2,430
Capital Receipts carried-forward	(2,672)	(2,279)	(2,904)	(2,904)	(2,904)	(2,904)	(2,904)	(2,904)	(2,904)	(2,904)
Total Commercial Property Receipts Applied	375	1,795	0	0	0	0	0	0	0	2,170
Contributions										
Third Party Contributions	4,685	8,346	1,390	2,300	0	0	0	0	0	16,721
Developer Contributions	2,886	2,010	2,020	2,100	2,100	2,100	2,100	2,100	2,100	19,516
Revenue Budget Contributions	504	10	0	0	0	0	0	0	0	514
Total Contributions	8,075	10,366	3,410	4,400	2,100	2,100	2,100	2,100	2,100	36,751
Capital Borrowing Requirement	21,773	68,145	100,890	103,556	30,986	12,930	10,005	7,916	9,114	365,315
TOTAL CAPITAL RESOURCES/ GROSS BUDGET EXPENDITURE	48,657	116,312	157,240	122,706	47,836	29,780	26,855	24,766	25,964	600,116

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
Estimated Capital Resources 2020/21 to 2028/29

APPENDIX I

Movements in Resources from Approved Budget - 25 November 2020

	Revised Budget 2020/21 £'000	Revised Budget 2021/22 £'000	Revised Budget 2022/23 £'000	Revised Budget 2023/24 £'000	Revised Budget 2024/25 £'000	Revised Budget 2025/26 £'000	Revised Budget 2026/27 £'000	Revised Budget 2027/28 £'000	Revised Budget 2028/29 £'000	Revised Budget TOTAL £'000
Increase/(Decrease) in:										
Capital Receipts - General Fund	50	(82)	32	0	0	0	0	0	0	0
Capital Receipts - Commercial Property	(1,047)	1,318	0	0	0	0	0	0	0	271
Capital Receipts - Housing Receipts	0	0	0	0	0	0	0	0	0	0
Capital Receipts - Ring Fenced	6	0	0	0	0	0	0	0	0	6
Capital Grants:										
Cycling, Walking & Safer Streets (CWSS)	0	0	0	0	0	0	0	0	0	0
Early Learning & Childcare	0	0	0	0	0	0	0	0	0	0
Perth Transport Futures - CTRL	(11,000)	(19,000)	30,000	0	0	0	0	0	0	0
Digital Inclusion	0	0	0	0	0	0	0	0	0	0
Regeneration Fund	0	1,000	0	0	0	0	0	0	0	1,000
Town Centre Fund	(200)	200	0	0	0	0	0	0	0	0
General Capital Grant	0	0	0	0	0	0	0	0	0	0
Third Party Contributions	(4,302)	910	1,381	2,284	0	0	0	0	0	273
Revenue Contributions	420	10	0	0	0	0	0	0	0	430
Developer Contributions	0	0	0	0	0	0	0	0	0	0
Resources b/f	0	523	246	246	246	246	246	246	246	0
Resources c/f to future years	(523)	(246)	(246)	(246)	(246)	(246)	(246)	(246)	(246)	(246)
Borrowing Requirement	(15,298)	1,962	(38,909)	46,638	5,494	14	21	38	40	0
Total Increase/(Decrease) in Resources	(31,894)	(13,405)	(7,496)	48,922	5,494	14	21	38	40	1,734
Approved Resources 25 November 2020	80,551	129,717	164,736	73,784	42,342	29,766	26,834	24,728	25,924	598,382
Revised Resources	48,657	116,312	157,240	122,706	47,836	29,780	26,855	24,766	25,964	600,116

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2019/20 to 2028/29

APPENDIX II

	Approved Budget Report 2 2020/21 (£'000)	Proposed Budget Adjustment Report 3 2020/21 (£'000)	Revised Budget Report 3 2020/21 (£'000)	Actuals to 31-Dec-20 2020/21 (£'000)	Projected Outturn 2020/21 (£'000)	Approved Budget Report 2 2021/22 (£'000)	Proposed Budget Adjustment Report 3 2021/22 (£'000)	Revised Budget Report 3 2021/22 (£'000)	Approved Budget Report 2 2022/23 (£'000)	Proposed Budget Adjustment Report 3 2022/23 (£'000)	Revised Budget Report 3 2022/23 (£'000)
EDUCATION AND CHILDREN'S SERVICES	11,452	(4,213)	7,239	3,394	7,239	28,640	433	29,073	53,082	902	53,984
COMMUNITIES	36,555	(11,843)	24,712	11,753	24,712	45,314	(1,577)	43,737	95,217	(41,522)	53,695
HEALTH AND SOCIAL CARE	597	(307)	290	160	290	370	307	677	320	0	320
CORPORATE AND DEMOCRATIC SERVICES	3,879	(455)	3,424	2,058	3,424	18,471	4,312	22,783	15,648	1,743	17,391
TOTAL NET EXPENDITURE	52,483	(16,818)	35,665	17,365	35,665	92,795	3,475	96,270	164,267	(38,877)	125,390
(NET OF GRANTS, REVENUE AND 3RD PARTY CONTRIBUTIONS, AND RING FENCED RECEIPTS)											
GENERAL CAPITAL GRANT	(10,266)	0	(10,266)	(8,899)	(10,266)	(24,305)	0	(24,305)	(21,416)	0	(21,416)
DEVELOPER CONTRIBUTIONS	(2,886)	0	(2,886)	0	(2,886)	(2,010)	0	(2,010)	(2,020)	0	(2,020)
CAPITAL RECEIPTS	(1,765)	997	(768)	(308)	(768)	(181)	(1,236)	(1,417)	(1,657)	(32)	(1,689)
ANNUAL BORROWING REQUIREMENT	37,566	(15,821)	21,745	8,158	21,745	66,299	2,239	68,538	139,174	(38,909)	100,265
CAPITAL RECEIPTS BROUGHT FORWARD	(2,644)	0	(2,644)	(2,644)	(2,644)	(2,149)	(523)	(2,672)	(2,033)	(246)	(2,279)
CAPITAL RECEIPTS CARRIED FORWARD	2,149	523	2,672	2,691	2,672	2,033	246	2,279	2,658	246	2,904
TOTAL NET BORROWING REQUIREMENT	37,071	(15,298)	21,773	8,205	21,773	66,183	1,962	68,145	139,799	(38,909)	100,890

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2019/20 to 2028/29

APPENDIX II

	Approved Budget Report 2 2023/24 (£'000)	Proposed Budget Adjustment Report 3 2023/24 (£'000)	Revised Budget Report 3 2023/24 (£'000)	Approved Budget Report 2 2024/25 (£'000)	Proposed Budget Adjustment Report 3 2024/25 (£'000)	Revised Budget Report 3 2024/25 (£'000)	Approved Budget Report 2 2025/26 (£'000)	Proposed Budget Adjustment Report 3 2025/26 (£'000)	Revised Budget Report 3 2025/26 (£'000)	Approved Budget Report 2 2026/27 (£'000)	Proposed Budget Adjustment Report 3 2026/27 (£'000)	Revised Budget Report 3 2026/27 (£'000)
EDUCATION AND CHILDREN'S SERVICES	38,622	1,615	40,237	17,041	763	17,804	4,650	0	4,650	4,650	0	4,650
COMMUNITIES	30,683	47,323	78,006	21,166	4,731	25,897	20,440	14	20,454	18,481	21	18,502
HEALTH AND SOCIAL CARE	320	0	320	320	0	320	320	0	320	320	0	320
CORPORATE AND DEMOCRATIC SERVICES	3,643	(2,300)	1,343	3,315	0	3,315	3,856	0	3,856	2,883	0	2,883
TOTAL NET EXPENDITURE	73,268	46,638	119,906	41,842	5,494	47,336	29,266	14	29,280	26,334	21	26,355
(NET OF GRANTS, REVENUE AND 3RD PARTY CONTRIBUTIONS, AND RING FENCED RECEIPTS)												
GENERAL CAPITAL GRANT	(14,000)	0	(14,000)	(14,000)	0	(14,000)	(14,000)	0	(14,000)	(14,000)	0	(14,000)
DEVELOPER CONTRIBUTIONS	(2,100)	0	(2,100)	(2,100)	0	(2,100)	(2,100)	0	(2,100)	(2,100)	0	(2,100)
CAPITAL RECEIPTS	(250)	0	(250)	(250)	0	(250)	(250)	0	(250)	(250)	0	(250)
ANNUAL BORROWING REQUIREMENT	56,918	46,638	103,556	25,492	5,494	30,986	12,916	14	12,930	9,984	21	10,005
CAPITAL RECEIPTS BROUGHT FORWARD	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)
CAPITAL RECEIPTS CARRIED FORWARD	2,658	246	2,904	2,658	246	2,904	2,658	246	2,904	2,658	246	2,904
TOTAL NET BORROWING REQUIREMENT	56,918	46,638	103,556	25,492	5,494	30,986	12,916	14	12,930	9,984	21	10,005

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2019/20 to 2028/29

	Approved Budget Report 2 2027/28 (£'000)	Proposed Budget Adjustment Report 3 2027/28 (£'000)	Revised Budget Report 3 2027/28 (£'000)	Approved Budget Report 2 2028/29 (£'000)	Proposed Budget Adjustment Report 3 2028/29 (£'000)	Revised Budget Report 3 2028/29 (£'000)	Revised Budget Report 3 TOTAL (£'000)
EDUCATION AND CHILDREN'S SERVICES	4,823	0	4,823	4,500	0	4,500	166,960
COMMUNITIES	16,278	38	16,316	18,238	40	18,278	299,597
HEALTH AND SOCIAL CARE	320	0	320	320	0	320	3,207
CORPORATE AND DEMOCRATIC SERVICES	2,807	0	2,807	2,366	0	2,366	60,168
TOTAL NET EXPENDITURE	24,228	38	24,266	25,424	40	25,464	529,932
(NET OF GRANTS, REVENUE AND 3RD PARTY CONTRIBUTIONS, AND RING FENCED RECEIPTS)							
GENERAL CAPITAL GRANT	(14,000)	0	(14,000)	(14,000)	0	(14,000)	(139,987)
DEVELOPER CONTRIBUTIONS	(2,100)	0	(2,100)	(2,100)	0	(2,100)	(19,516)
CAPITAL RECEIPTS	(250)	0	(250)	(250)	0	(250)	(5,374)
ANNUAL BORROWING REQUIREMENT	7,878	38	7,916	9,074	40	9,114	365,055
CAPITAL RECEIPTS BROUGHT FORWARD	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)	(2,644)
CAPITAL RECEIPTS CARRIED FORWARD	2,658	246	2,904	2,658	246	2,904	2,904
TOTAL NET BORROWING REQUIREMENT	7,878	38	7,916	9,074	40	9,114	365,315

EDUCATION AND CHILDREN'S SERVICES

Arts Strategy Phase 1 - Redevelopment of Perth Theatre	6		6	6	0		0	0		0		0		0		0		0
MIS - Procurement & Integration	49		49	49	55		55	0		0		0		0		0		0
Digital Inclusion	614		614	241	0		0	0		0		0		0		0		0
Scottish Government Grant	(614)		(614)		0		0	0		0		0		0		0		0
Blairgowrie Recreation Centre - Replacement	1,500	(902)	598	39	4,483		4,483	8,760	902	9,662		0		0		0		0

Schools Modernisation Programme

Investment in the Learning Estate	1,503	(763)	740	369	3,350	(500)	2,850	8,098		8,098		8,964		8,964	4,650	763	5,413	4,650	4,650
Pitcairn Primary School Upgrade Project	87		87		0		0	0		0		0		0	0		0	0	0
Longforgan Primary School Upgrade Project	2,680		2,680	2,037	0		0	0		0		0		0	0		0	0	0
Early Learning & Childcare	1,397	(447)	950	687	0	533	533	0		0		0		0	0		0	0	0
Scottish Government Grant	(3,800)		(3,800)	(3,800)	0		0	0		0		0		0	0		0	0	0
- Letham Primary School Upgrade Project	1,563	(615)	948	659	0	615	615	0		0		0		0	0		0	0	0
- Oakbank Primary School Upgrade Project	555		555	496	0		0	0		0		0		0	0		0	0	0
- St.Ninians Primary School Upgrade Project	214	(86)	128	85	0		0	0		0		0		0	0		0	0	0
- Rattray Primary School Upgrade Project	100		100	40	3,909		3,909	0		0		0		0	0		0	0	0
- Inchture Primary School Upgrade Project	839		839	854	0		0	0		0		0		0	0		0	0	0
Alyth Primary School Upgrade Project	0		0		0		0	0		0		0		0	0		0	0	0
North/West Perth - New Primary School	0		0		0		0	500		500		8,500		8,500	5,350		5,350	0	0
North Muirton/Balhousesie Primary Schools Replacement	1,500	(600)	900	169	8,000		8,000	5,297		5,297		1,000	600	1,600	0		0	0	0

Technology Upgrades	350	(300)	50		675		675	533		533		0	300	300	0		0	0	0
Perth Academy - Refurbishment	895	215	1,110	923	1,000	(215)	785	3,085		3,085		5,162		5,162	2,500		2,500	0	0
Perth Grammar School - Upgrade Programme Phase 3	985	(715)	270	104	1,100		1,100	2,750		2,750		1,600	715	2,315	0		0	0	0
Perth High School - Internal Services & Refurbishment	30		30	9	0		0	0		0		0		0	0		0	0	0
Perth High School - New School Investment	999		999	482	6,068		6,068	24,059		24,059		13,396		13,396	4,541		4,541	0	0

TOTAL: EDUCATION AND CHILDREN'S SERVICES

COMMUNITIES

Traffic & Road Safety

Road Safety Initiatives (20mph Zones etc..)	213	(114)	99	7	150	114	264	150		150		200		200	200		200	200	200
Road Safety Initiatives	265		265	84	0		0	0		0		0		0	0		0	0	0
Additional Road Safety - Pedestrian Crossings	175	(175)	0		175	175	350	175		175		0		0	0		0	0	0
Schools Road Safety Measures	408		408	113	350		350	0		0		0		0	0		0	0	0
20mph Signage Programme	182	(75)	107	45	0	75	75	0		0		0		0	0		0	0	0
Cycling Walking & Safer Streets (CWSS)	665	72	737	38	200		200	200		200		200		200	200		200	200	200
Scottish Government Grant - CWSS	(665)		(665)		(200)		(200)	(200)		(200)		(200)		(200)	(200)		(200)	(200)	(200)
Third Party Contribution	0	(72)	(72)		0		0	0		0		0		0	0		0	0	0
Car Parking Investment	432	(358)	74	74	0	358	358	0		0		0		0	0		0	0	0
Revenue Contribution	(84)	10	(74)		0	(10)	(10)	0		0		0		0	0		0	0	0
Car Parking Investment - Pitlochry	150	(150)	0		0	150	150	0		0		0		0	0		0	0	0
Strathmore Cycle Network	87	(71)	16	1	0	71	71	0		0		0		0	0		0	0	0
Sub-Total	1,828	(933)	895	362	675	933	1,608	325	0	325		200	0	200	200	0	200	200	200

Asset Management - Roads & Lighting

Structural Maintenance	13,082	(2,641)	10,441	5,146	10,576	391	10,967	10,135	(284)	9,851		9,973		9,973	9,593		9,593	9,593	9,593
Third Party Contribution (Forestry Commission Timber Routes)	(385)	(4)	(389)	(4)	0		0	0		0		0		0	0		0	0	0
Street Lighting Renewals - Upgrading/Unlit Areas	187		187	109	0		0	0		0		0		0	0		0	0	0
Traffic Signal Renewals - Upgrading	175	177	352	144	130	29	159	70	49	119		40	(18)	22	120	(120)	0	36	(36)
Third Party Contributions	0	(60)	(60)		0		0	0		0		0		0	0		0	0	0
Unadopted Roads & Footways (Match Funding)	74	(74)	0		0	0	0	0		0		0		0	0		0	0	0
Third Party Contributions	(6)	6	0		0	0	0	0		0		0		0	0		0	0	0
Footways	510		510	264	435		435	435		435		435		435	435		435	435	435
Investment in Local Footpaths	100	(90)	10		100	90	190	0		0		0		0	0		0	0	0
Road Safety Barriers	54		54		0		0	0		0		0		0	0		0	0	0
Third Party Contribution	(18)		(18)		0		0	0		0		0		0	0		0	0	0
Pedestrian Gritters	19		19		0		0	0		0		0		0	0		0	0	0
Sub-Total	13,792	(2,686)	11,106	5,659	11,241	510	11,751	10,640	(235)	10,405		10,448	(18)	10,430	10,148	(120)	10,028	10,064	(36)

Asset Management - Bridges

Bridge Refurbishment Programme	502	(276)	226	5	667	276	943	752		752		752		752	752		752	752	752
Dalhenzean Culvert	0		0		287	(287)	0	0	287	287		0		0	0		0	0	0
Dunkeld Golf Course	226	(226)	0		0		0	0	226	226		0		0	0		0	0	0
Vehicular Bridge Parapets Programme - Assess & Upgrade	72	10	82		38	(10)	28	0		0		0		0	0		0	0	0
Old Perth Bridge - Strengthening	166	(133)	33	4	10	133	143	10		10		170		170	2,219		2,219	0	0
Perth Queens Bridge - Strengthening	160	(107)	53		226	(48)	178	10	145	155		10		10	60		60	2,163	10
Sub-Total	1,126	(732)	394	9	1,228	64	1,292	772	658	1,430		932	0	932	3,031	0	3,031	2,915	10

Improvement Schemes

A9/A85 Road Junction Improvements	601		601	6	0		0	0		0		0		0	0		0	0	0
Perth Transport Futures	11,318	(10,327)	991	500	35,190	(15,822)	19,368	57,455	(11,219)	46,236		9,000	32,940	41,940	0	4,428	4,428	0	0
Scottish Government Grant	(11,000)	11,000	0		(29,000)	19,000	(10,000)	0	(30,000)	(30,000)		0	0	0	0		0	0	0
A977 Upgrades	229	(144)	85	1	0	144	144	0		0		0		0	0		0	0	0
Brioch Road, Crieff - Road Realignment & Safety Measures	35		35	4	0		0	0		0		0		0	0		0	0	0
Third Party Contribution (Developers)	(130)		(130)		0		0	0		0		0		0	0		0	0	0
Sub-Total	1,053	529	1,582	511	6,190	3,322	9,512	57,455	(41,219)	16,236		9,000	32,940	41,940	0	4,428	4,428	0	0

	Approved Budget	Proposed Budget Adjustment	Revised Budget	Actual to 31-Dec-20	Projected Outturn	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget
	Report 2 2020/21 (£'000)	Report 3 2020/21 (£'000)	Report 3 2020/21 (£'000)	2020/21 (£'000)	2020/21 (£'000)	Report 2 2021/22 (£'000)	Report 3 2021/22 (£'000)	Report 3 2021/22 (£'000)	Report 2 2022/23 (£'000)	Report 3 2022/23 (£'000)	Report 3 2022/23 (£'000)	Report 2 2023/24 (£'000)	Report 3 2023/24 (£'000)	Report 3 2023/24 (£'000)	Report 2 2024/25 (£'000)	Report 3 2024/25 (£'000)	Report 3 2024/25 (£'000)	Report 2 2025/26 (£'000)	Report 3 2025/26 (£'000)	Report 3 2025/26 (£'000)
Rural Flood Protection Schemes																				
Almondbank Flood Protection Scheme	0	430	430	323	430	0		0	0		0	0		0	0		0	0		0
Revenue Contribution	0	(430)	(430)		(430)	0		0	0		0	0		0	0		0	0		0
Perth Flood Protection Scheme (Pump Replacement)	333		333		333	202		202	0		0	0		0	0		0	0		0
Comrie Flood Protection Scheme	1,139	(941)	198	3	198	9,844	(8,644)	1,200	13,681	(1,242)	12,439	1,884	10,827	12,711	0		0	0		0
Milnathort Flood Protection Scheme	126	20	146	27	146	1,770	(1,694)	76	0	1,674	1,674	0		0	0		0	0		0
South Kinross Flood Protection Scheme	194	(27)	167	28	167	154	(73)	81	2,992	(2,468)	524	0	2,568	2,568	0		0	0		0
Scone Flood Protection Scheme	134	(120)	14		14	549	(469)	80	30	21	51	0	241	241	0	327	327	0		0
Sub-Total	1,926	(1,068)	858	381	858	12,519	(10,880)	1,639	16,703	(2,015)	14,688	1,884	13,636	15,520	0	327	327	0	0	0
Rural Iniatives																				
Conservation of Built Heritage	44		44	9	44	0		0	0		0	0		0	0		0	0		0
Sub-Total	44	0	44	9	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Perth & Kinross Place-making																				
Mill Street Environmental Improvements	127	(127)	0		0	0	127	127	0		0	0		0	0		0	0		0
St Paul's Church	619		619	280	619	0		0	0		0	0		0	0		0	0		0
Perth City Centre Golden Route (Rail Station)	0	4	4		4	493	(4)	489	0		0	0		0	0		0	0		0
Green Network Routes	0		0		0	115		115	0		0	0		0	0		0	0		0
City Greening	11		11		11	0		0	0		0	0		0	0		0	0		0
Tay Street, Perth	670	(570)	100		100	1,063	(200)	863	0	570	570	0		0	0		0	0		0
Mill St, Perth (Phase 3) - Shared Space at Bus Station	0		0		0	600		600	0		0	0		0	0		0	0		0
South Street, Perth - Transport Hub	0		0		0	200		200	740		740	0		0	0		0	0		0
Perth & Kinross Lighting Action Plan	1,296	(1,049)	247	70	247	1,197	(128)	1,069	673	524	1,197	0	653	653	0		0	0		0
Sub-Total	2,723	(1,742)	981	350	981	3,668	(205)	3,463	1,413	1,094	2,507	0	653	653	0	0	0	0	0	0
Other Planning Projects																				
Creative Exchange (former St. John's Primary School)	89		89		89	0		0	0		0	0		0	0		0	0		0
Third Party Contribution	0		0		0	0		0	0		0	0		0	0		0	0		0
Town Centre - Regeneration & Economic Improvements	2,321	(1,963)	358		358	0	1,963	1,963	0		0	0		0	0		0	0		0
Scottish Government Grant	(2,521)	200	(2,321)		(2,321)	0	(200)	(200)	0		0	0		0	0		0	0		0
Local Full Fibre Network	3,430	(1,820)	1,610		1,610	1,000	1,740	2,740	0		0	0		0	0		0	0		0
Third Party Contribution - DCMS	(3,230)	1,620	(1,610)		(1,610)	0	(1,540)	(1,540)	0		0	0		0	0		0	0		0
Third Party Contribution - Tay Cities Deal	0		0		0	(1,000)		(1,000)	0		0	0		0	0		0	0		0
Low Carbon Transport & Active Travel Hub - Broxden EV Chargers	1,060	(1,060)	0		0	0	1,060	1,060	0		0	0		0	0		0	0		0
Third Party Contribution - ERDF	(424)	424	0		0	0	(424)	(424)	0		0	0		0	0		0	0		0
Third Party Contribution - Tay Cities Deal	(636)	636	0		0	0	(636)	(636)	0		0	0		0	0		0	0		0
Sub-Total	89	(1,963)	(1,874)	0	(1,874)	0	1,963	1,963	0	0	0	0	0	0	0	0	0	0	0	0
Community Greenspace																				
Play Areas - Improvements Implementation Strategy	251	(158)	93	12	93	150	174	324	150		150	150		150	150		150	150		150
Third Party Contribution	(34)	4	(30)		(30)	0	(20)	(20)	0		0	0		0	0		0	0		0
3G Pitch, Blairgowrie	0		0		0	0		0	0		0	500		500	0		0	0		0
Countryside Sites	151	(141)	10		10	0	147	147	0		0	0		0	0		0	0		0
Community Greenspace Sites	325	(325)	0		0	361	96	457	361		361	361		361	361		361	361		361
Small Parks	24	4	28	1	28	0		0	0		0	0		0	0		0	0		0
Third Party Contribution	(13)		(13)	(13)	(13)	0		0	0		0	0		0	0		0	0		0
Community Greenspace Bridges	(24)	62	38		38	0		0	0		0	0		0	0		0	0		0
Core Path Implementation	6	15	21	15	21	0		0	0		0	0		0	0		0	0		0
Third Party Contribution	0	(15)	(15)	(15)	(15)	0		0	0		0	0		0	0		0	0		0
Pitlochry Recreation Park	0	(1)	(1)		(1)	0		0	0		0	0		0	0		0	0		0
Third Party Contribution	0		0		0	0		0	0		0	0		0	0		0	0		0
Alyth Environmental Improvements	26		26	10	26	0		0	0		0	0		0	0		0	0		0
Air Quality Improvements	100		100		100	0		0	0		0	0		0	0		0	0		0
Premier Parks	26	8	34		34	0		0	0		0	0		0	0		0	0		0
Auchterarder Public Park	0	8	8		8	0	142	142	0		0	0		0	0		0	0		0
The Knock	110	45	155		155	0	17	17	0		0	0		0	0		0	0		0
Third Party Contribution	(37)	(62)	(99)		(99)	0		0	0		0	0		0	0		0	0		0
Kinnoull Hill	100	26	126	10	126	0	104	104	0		0	0		0	0		0	0		0
Third Party Contribution	(3)	(90)	(93)		(93)	0	(40)	(40)	0		0	0		0	0		0	0		0
Cemetery Extensions	21	2	23	14	23	0		0	329	(2)	327	150		150	150		150	100		100
Sub-Total	1,029	(618)	411	34	411	511	620	1,131	840	(2)	838	1,161	0	1,161	661	0	661	611	0	611
Support Services																				
<u>PC Replacement & IT Upgrades</u>																				
Hardware	29		29	9	29	20														

	Approved Budget Report 2 2020/21 (£'000)	Proposed Budget Adjustment Report 3 2020/21 (£'000)	Revised Budget Report 3 2020/21 (£'000)	Actual to 31-Dec-20 2020/21 (£'000)	Projected Outturn 2020/21 (£'000)	Approved Budget Report 2 2021/22 (£'000)	Proposed Budget Adjustment Report 3 2021/22 (£'000)	Revised Budget Report 3 2021/22 (£'000)	Approved Budget Report 2 2022/23 (£'000)	Proposed Budget Adjustment Report 3 2022/23 (£'000)	Revised Budget Report 3 2022/23 (£'000)	Approved Budget Report 2 2023/24 (£'000)	Proposed Budget Adjustment Report 3 2023/24 (£'000)	Revised Budget Report 3 2023/24 (£'000)	Approved Budget Report 2 2024/25 (£'000)	Proposed Budget Adjustment Report 3 2024/25 (£'000)	Revised Budget Report 3 2024/25 (£'000)	Approved Budget Report 2 2025/26 (£'000)	Proposed Budget Adjustment Report 3 2025/26 (£'000)	Revised Budget Report 3 2025/26 (£'000)	
Broxden Drainage Mitigation works	314	(304)	10		10	0	314	314	0		0	0		0	0	0		0	0		0
Third Party Contribution (Scottish Water)	(239)	239	0		0	0	(239)	(239)	0		0	0		0	0	0		0	0		0
Eco-Hub Manufacturing Facility	1,421	(1,390)	31		31	0	1,390	1,390	0		0	0		0	0	0		0	0		0
North Muirton Industrial Estate Expansion Land - Servicing	242	(117)	125	89	125	200	130	330	0		0	0		0	0	0		0	0		0
Sub-Total	1,945	(1,570)	375	113	375	200	1,595	1,795	0	0	0	0	0	0	0	0	0	0	0	0	0
Prudential Borrowing Projects																					
Wheeled Bin Replacement Programme - Domestic Bins	224		224	118	224	200		200	200		200	200		200	200	200		200	200		200
Wheeled Bin Replacement Programme - Commercial Bins	11		11		11	12		12	18		18	20		20	20	20		20	20		20
Recycling Containers, Oil Banks & Battery Banks Replacement Programme	90	6	96	32	96	46		46	62		62	65		65	65	65		65	65		65
Capital Receipts - Disposals	0	(6)	(6)	(6)	(6)	0		0	0		0	0		0	0	0		0	0		0
Litter Bins	10		10	9	10	11		11	25		25	25		25	25	50		50	50		50
Smart Cities - Smart Waste	172	(144)	28	18	28	167	135	302	39	9	48	0		0	0	0		0	0		0
Third Party Contribution	(55)	45	(10)		(10)	(67)	(53)	(120)	(9)	(8)	(17)	(16)	16	0	0	0		0	0		0
Vehicle Replacement Programme	4,414		4,414	2,176	4,414	2,862		2,862	2,601		2,601	3,000		3,000	3,000	3,000		3,000	3,000		3,000
Capital Receipts - Vehicle Disposals	(397)		(397)	(210)	(397)	(286)		(286)	(260)		(260)	(300)		(300)	(300)	(300)		(300)	(300)		(300)
Energy Conservation & Carbon Reduction Programme	191		191		191	150		150	150		150	150		150	150	150		150	150		150
Crematorium - Abatement Works	35	(15)	20		20	0	15	15	0		0	0		0	0	0		0	0		0
Street Lighting Renewal - LED & Column Replacement	915	(544)	371	93	371	971	96	1,067	998	96	1,094	1,024	96	1,120	1,051	96	1,147	575	40	615	
Perth Harbour - Dredging	0		0		0	711		711	0		0	0		0	0	0		0	0		0
Almondbank Flood Protection Scheme	4		4		4	0		0	0		0	0		0	0	0		0	0		0
Land Purchase & Development	1,000		1,000		1,000	0		0	0		0	0		0	0	0		0	0		0
Technology & Innovation Incubator Units	0		0		0	1,000		1,000	0		0	0		0	0	0		0	0		0
Sub Total	6,614	(658)	5,956	2,230	5,956	5,777	193	5,970	3,824	97	3,921	4,168	112	4,280	4,236	96	4,332	3,760	40	3,800	
Housing Projects																					
Gypsy Travellers Site Improvement Works	268		268		268	0		0	0		0	0		0	0	0		0	0		0
Additional Gypsy Traveller Site Improvement Works	150		150	6	150	75		75	0		0	0		0	0	0		0	0		0
Sub Total	418	0	418	6	418	75	0	75	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL: COMMUNITIES	36,555	(11,843)	24,712	11,753	24,712	45,314	(1,577)	43,737	95,217	(41,522)	53,695	30,683	47,323	78,006	21,166	4,731	25,897	20,440	14	20,454	
Health & Social Care																					
Occupational Therapy Equipment	251	(49)	202	148	202	250	49	299	250		250	250		250	250		250	250		250	
Moving & Handling Office Refurbishment	29	(29)	0		0	0	29	29	0		0	0		0	0	0		0	0		0
Software Licences	88		88	12	88	120		120	70		70	70		70	70	70		70	70		70
Developing Supported Tenancies	229	(229)	0		0	0	229	229	0		0	0		0	0	0		0	0		0
TOTAL: HEALTH & SOCIAL CARE	597	(307)	290	160	290	370	307	677	320	0	320	320	0	320	320	0	320	320	0	320	
CORPORATE AND DEMOCRATIC SERVICES																					
City Centre Developments - Cultural Attractions																					
Perth City Hall	1,287		1,287	381	1,287	9,352		9,352	10,253	3,300	13,553	0		0	0		0	0		0	
Perth Museum & Art Gallery (PMAG)	0		0		0	2,812		2,812	504		504	0		0	0		0	0		0	
Collections Centre	0		0		0	6,424		6,424	0		0	0		0	0		0	0		0	
Third Party Contribution (Tay Cities Deal)	(3,631)	1,631	(2,000)		(2,000)	(6,369)	2,042	(4,327)	0	(1,373)	(1,373)	0	(2,300)	(2,300)	0		0	0		0	
Community Planning																					
Letham Community Wellbeing Hub	2,223	(2,073)	150	30	150	0	3,073	3,073	0		0	0		0	0	0		0	0		0
Scottish Government Grant (Regeneration Fund)	0		0		0	0	(1,000)	(1,000)	0		0	0		0	0	0		0	0		0
Information Systems & Technology																					
ICT Infrastructure & Replacement and Upgrade Programme	2,002		2,002	993	2,002	3,338		3,338	3,284		3,284	3,428		3,428	2,903		2,903	3,538		3,538	
School Audio-Visual (AV) Equipment Replacement Programme	507		507	255	507	995		995	970		970	30		30	224		224	125		125	
Online/Mobile Working/Bertha Park IT Equipment	1,031		1,031	133	1,031	268		268	204		204	145		145	148		148	153		153	
Third Party Contribution (ERDF)	(146)		(146)		(146)	0		0	0		0	0		0	0		0	0		0	
Swift Social Work System Replacement	410	(13)	397	265	397	1,611	197	1,808	393	(184)	209	0		0	0		0	0		0	
Customer Service Blueprint	196		196	1	196	40		40	40		40	40		40	40		40	40		40	
TOTAL: CORPORATE AND DEMOCRATIC SERVICES	3,879	(455)	3,424	2,058	3,424	18,471	4,312	22,783	15,648	1,743	17,391	3,643	(2,300)	1,343	3,315	0	3,315	3,856	0	3,856	
TOTAL COMPOSITE NET EXPENDITURE	52,483	(16,818)	35,665	17,365	35,665	92,795	3,475	96,270	164,267	(38,877)	125,390	73,268	46,638	119,906	41,842	5,494	47,336	29,266	14	29,280	
(NET OF GRANTS, REVENUE AND 3RD PARTY CONTRIBUTIONS, AND RING FENCED RECEIPTS)																					
CAPITAL RECEIPTS																					
General Capital Grant - Scottish Government	(10,266)		(10,266)	(8,899)	(10,266)	(24,305)		(24,305)	(21,416)		(21,416)	(14,000)		(14,000)	(14,000)		(14,000)	(14,000)		(14,000)	
Developer Contributions	(2,886)		(2,886)		(2,886)	(2,010)		(2,010)	(2,020)		(2,020)	(2,100)		(2,100)	(2,100)		(2,100)	(2,100)		(2,100)	
General Fund - Capital Receipts/Disposal	(312)	(50)	(362)	(148)	(362)	(94)	82	(12)	(1,030)	(32)	(1,062)	(250)	0	(250)	(250)	0	(250)	(250)			

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PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2020/21 to 2028/29

	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget	Approved Budget	Proposed Budget Adjustment	Revised Budget	Revised Budget
	Report 2 2026/27 (£'000)	Report 3 2026/27 (£'000)	Report 3 2026/27 (£'000)	Report 2 2027/28 (£'000)	Report 3 2027/28 (£'000)	Report 3 2027/28 (£'000)	Report 2 2028/29 (£'000)	Report 3 2028/29 (£'000)	Report 3 2028/29 (£'000)	Report 3 TOTAL (£'000)
Rural Flood Protection Schemes										
Almondbank Flood Protection Scheme	0		0	0		0	0		0	430
Revenue Contribution	0		0	0		0	0		0	(430)
Perth Flood Protection Scheme (Pump Replacement)	0		0	0		0	0		0	535
Comrie Flood Protection Scheme	0		0	0		0	0		0	26,548
Milnathort Flood Protection Scheme	0		0	0		0	0		0	1,896
South Kinross Flood Protection Scheme	0		0	0		0	0		0	3,340
Scone Flood Protection Scheme	0		0	0		0	0		0	713
Sub-Total	0	0	0	0	0	0	0	0	0	33,032
Rural Iniatives										
Conservation of Built Heritage	0		0	0		0	0		0	44
Sub-Total	0	0	0	0	0	0	0	0	0	44
Perth & Kinross Place-making										
Mill Street Environmental Improvements	0		0	0		0	0		0	127
St Paul's Church	0		0	0		0	0		0	619
Perth City Centre Golden Route (Rail Station)	0		0	0		0	0		0	493
Green Network Routes	0		0	0		0	0		0	115
City Greening	0		0	0		0	0		0	11
Tay Street, Perth	0		0	0		0	0		0	1,533
Mill St, Perth (Phase 3) - Shared Space at Bus Station	0		0	0		0	0		0	600
South Street, Perth - Transport Hub	0		0	0		0	0		0	940
Perth & Kinross Lighting Action Plan	0		0	0		0	0		0	3,166
Sub-Total	0	0	0	0	0	0	0	0	0	7,604
Other Planning Projects										
Creative Exchange (former St. John's Primary School)	0		0	0		0	0		0	89
Third Party Contribution	0		0	0		0	0		0	0
Town Centre - Regeneration & Economic Improvements	0		0	0		0	0		0	2,321
Scottish Government Grant	0		0	0		0	0		0	(2,521)
Local Full Fibre Network	0		0	0		0	0		0	4,350
Third Party Contribution - DCMS	0		0	0		0	0		0	(3,150)
Third Party Contribution - Tay Cities Deal	0		0	0		0	0		0	(1,000)
Low Carbon Transport & Active Travel Hub - Broxden EV Chargers	0		0	0		0	0		0	1,060
Third Party Contribution - ERDF	0		0	0		0	0		0	(424)
Third Party Contribution - Tay Cities Deal	0		0	0		0	0		0	(636)
Sub-Total	0	0	0	0	0	0	0	0	0	89
Community Greenspace										
Play Areas - Improvements Implementation Strategy	150		150	150		150	135		135	1,452
Third Party Contribution	0		0	0		0	0		0	(50)
3G Pitch, Blairgowrie	0		0	0		0	0		0	500
Countryside Sites	0		0	0		0	0		0	157
Community Greenspace Sites	361		361	361		361	365		365	2,988
Small Parks	0		0	0		0	0		0	28
Third Party Contribution	0		0	0		0	0		0	(13)
Community Greenspace Bridges	0		0	0		0	0		0	38
Core Path Implementation	0		0	0		0	0		0	21
Third Party Contribution	0		0	0		0	0		0	(15)
Pitlochry Recreation Park	0		0	0		0	0		0	(1)
Third Party Contribution	0		0	0		0	0		0	0
Alyth Environmental Improvements	0		0	0		0	0		0	26
Air Quality Improvements	0		0	0		0	0		0	100
Premier Parks	0		0	0		0	0		0	34
Auchterarder Public Park	0		0	0		0	0		0	150
The Knock	0		0	0		0	0		0	172
Third Party Contribution	0		0	0		0	0		0	(99)
Kinnoull Hill	0		0	0		0	0		0	230
Third Party Contribution	0		0	0		0	0		0	(133)
Cemetery Extensions	100		100	100		100	75		75	1,025
Sub-Total	611	0	611	611	0	611	575	0	575	6,610
Support Services										
PC Replacement & IT Upgrades										
Hardware	20		20	20		20	0		0	169
Licenses	120		120	120		120	120		120	829
Corporate Programme Management System	0		0	0		0	0		0	11
Sub-Total	140	0	140	140	0	140	120	0	120	1,009
Property Services										
DDA Adaptation & Alteration Works Programme	200		200	200		200	150		150	1,885
Property Compliance Works Programme	650		650	650		650	600		600	6,084
Capital Improvement Projects Programme	1,900		1,900	2,000		2,000	1,900		1,900	17,504
Fire Audit Works - Robert Douglas Memorial school	0		0	0		0	0		0	58
Pitlochry High School - Upgrade Programme	0		0	0		0	0		0	1,229
Sub Total	2,750	0	2,750	2,850	0	2,850	2,650	0	2,650	26,760
Commercial Property Investment Programme										
North Muirton Industrial Estate - Site Servicing & Provision of Units	0		0	0		0	0		0	151
Western Edge, Kinross - Site Servicing	0		0	0		0	0		0	12
Additional Infrastructure Investment - Broxden	0		0	0		0	0		0	46

PERTH AND KINROSS COUNCIL
COMPOSITE CAPITAL PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2020/21 to 2028/29

	Approved Budget Report 2 2026/27 (£'000)	Proposed Budget Adjustment Report 3 2026/27 (£'000)	Revised Budget Report 3 2026/27 (£'000)	Approved Budget Report 2 2027/28 (£'000)	Proposed Budget Adjustment Report 3 2027/28 (£'000)	Revised Budget Report 3 2027/28 (£'000)	Approved Budget Report 2 2028/29 (£'000)	Proposed Budget Adjustment Report 3 2028/29 (£'000)	Revised Budget Report 3 2028/29 (£'000)	Revised Budget Report 3 TOTAL (£'000)
Broxden Drainage Mitigation works	0		0	0		0	0		0	324
Third Party Contribution (Scottish Water)	0		0	0		0	0		0	(239)
Eco-Hub Manufacturing Facility	0		0	0		0	0		0	1,421
North Muirton Industrial Estate Expansion Land - Servicing	0		0	0		0	0		0	455
Sub-Total	0	0	0	0	0	0	0	0	0	2,170
Prudential Borrowing Projects										
Wheeled Bin Replacement Programme - Domestic Bins	200		200	200		200	200		200	1,824
Wheeled Bin Replacement Programme - Commercial Bins	20		20	20		20	20		20	161
Recycling Containers, Oil Banks & Battery Banks Replacement Prc	65		65	65		65	65		65	594
Capital Receipts - Disposals	0		0	0		0	0		0	(6)
Litter Bins	50		50	50		50	50		50	321
Smart Cities - Smart Waste	0		0	0		0	0		0	378
Third Party Contribution	0		0	0		0	0		0	(147)
Vehicle Replacement Programme	3,000		3,000	3,000		3,000	3,000		3,000	27,877
Capital Receipts - Vehicle Disposals	(300)		(300)	(300)		(300)	(300)		(300)	(2,743)
Energy Conservation & Carbon Reduction Programme	150		150	150		150	150		150	1,391
Crematorium - Abatement Works	0		0	0		0	0		0	35
Street Lighting Renewal - LED & Column Replacement	589	40	629	603	40	643	621	40	661	7,347
Perth Harbour - Dredging	0		0	0		0	0		0	711
Almondbank Flood Protection Scheme	0		0	0		0	0		0	4
Land Purchase & Development	0		0	0		0	0		0	1,000
Technology & Innovation Incubator Units	0		0	0		0	0		0	1,000
Sub Total	3,774	40	3,814	3,788	40	3,828	3,806	40	3,846	39,747
Housing Projects										
Gypsy Travellers Site Improvement Works	0		0	0		0	0		0	268
Additional Gypsy Traveller Site Improvement Works	0		0	0		0	0		0	225
Sub Total	0	0	0	0	0	0	0	0	0	493
TOTAL: COMMUNITIES	18,481	21	18,502	16,278	38	16,316	18,238	40	18,278	299,597
Health & Social Care										
Occupational Therapy Equipment	250		250	250		250	250		250	2,251
Moving & Handling Office Refurbishment	0		0	0		0	0		0	29
Software Licences	70		70	70		70	70		70	698
Developing Supported Tenancies	0		0	0		0	0		0	229
TOTAL: HEALTH & SOCIAL CARE	320	0	320	320	0	320	320	0	320	3,207
CORPORATE AND DEMOCRATIC SERVICES										
City Centre Developments - Cultural Attractions										
Perth City Hall	0		0	0		0	0		0	24,192
Perth Museum & Art Gallery (PMAG)	0		0	0		0	0		0	3,316
Collections Centre	0		0	0		0	0		0	6,424
Third Party Contribution (Tay Cities Deal)	0		0	0		0	0		0	(10,000)
Community Planning										
Letham Community Wellbeing Hub	0		0	0		0	0		0	3,223
Scottish Government Grant (Regeneration Fund)	0		0	0		0	0		0	(1,000)
Information Systems & Technology										
ICT Infrastructure & Replacement and Upgrade Programme	2,478		2,478	2,637		2,637	2,312		2,312	25,920
School Audio-Visual (AV) Equipment Replacement Programme	365		365	130		130	35		35	3,381
Online/Mobile Working/Bertha Park IT Equipment	0		0	0		0	0		0	1,949
Third Party Contribution (ERDF)	0		0	0		0	0		0	(146)
Swift Social Work System Replacement	0		0	0		0	0		0	2,414
Customer Service Blueprint	40		40	40		40	19		19	495
TOTAL: CORPORATE AND DEMOCRATIC SERVICES	2,883	0	2,883	2,807	0	2,807	2,366	0	2,366	60,168
TOTAL COMPOSITE NET EXPENDITURE	26,334	21	26,355	24,228	38	24,266	25,424	40	25,464	529,932
(NET OF GRANTS, REVENUE AND 3RD PARTY CONTRIBUTIONS, AND RING FENCED REVENUE)										
CAPITAL RECEIPTS										
General Capital Grant - Scottish Government	(14,000)		(14,000)	(14,000)		(14,000)	(14,000)		(14,000)	(139,987)
Developer Contributions	(2,100)		(2,100)	(2,100)		(2,100)	(2,100)		(2,100)	(19,516)
General Fund - Capital Receipts/Disposal	(250)	0	(250)	(250)	0	(250)	(250)	0	(250)	(2,936)
Commercial Property - Capital Receipts/Disposal	0	0	0	0	0	0	0	0	0	(2,430)
General Fund Housing Receipts	0		0	0		0	0		0	(8)
Total: Capital Receipts	(16,350)	0	(16,350)	(16,350)	0	(16,350)	(16,350)	0	(16,350)	(164,877)
Annual Composite Borrowing Requirement	9,984	21	10,005	7,878	38	7,916	9,074	40	9,114	365,055
CAPITAL RECEIPTS BROUGHT FORWARD	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)	(2,658)	(246)	(2,904)	(2,644)
CAPITAL RECEIPTS CARRIED FORWARD	2,658	246	2,904	2,658	246	2,904	2,658	246	2,904	2,904
TOTAL NET COMPOSITE BORROWING REQUIREMENT	9,984	21	10,005	7,878	38	7,916	9,074	40	9,114	365,315

PERTH AND KINROSS COUNCIL
HRA CAPITAL INVESTMENT PROGRAMME
SUMMARY OF CAPITAL RESOURCES AND EXPENDITURE 2020/21 to 2024/25

Council House New Build Programme

Glebe, Scone - 65 Units
Council Tax (Second Income)
Scottish Government Subsidy

Milne Street, Perth - 8 Units
Council Tax (Second Income)
Third Party Contribution (Commuted Sums)
Scottish Government Subsidy

Ardler Road, Meigle - 8 Units
Council Tax (Second Income)
Scottish Government Subsidy

Huntingtower, Perth - 70 Units
Council Tax (Second Income)
Scottish Government Subsidy

Fairfield, Perth
Council Tax (Second Income)
Scottish Government Subsidy

Beechgrove, Perth
Council Tax (Second Income)
Scottish Government Subsidy

Inchture, Phase 2
Council Tax (Second Income)
Scottish Government Subsidy

Lynedoch Road, Methven
Council Tax (Second Income)
Scottish Government Subsidy

Future Developments
Council Tax (Second Income)
Scottish Government Subsidy

Total Council House New Build

Approved Budget Report 2 2020/21 £'000	Proposed Budget Adjustment Report 3 2020/21 £'000	Revised Budget Report 3 2020/21 £'000	Actual to 31-Dec-20 2020/21 £'000	Projected Outturn Report 3 2020/21 £'000	Approved Budget Report 2 2021/22 £'000	Proposed Budget Adjustment Report 3 2021/22 £'000	Revised Budget Report 3 2021/22 £'000	Approved Budget Report 2 2022/23 £'000	Proposed Budget Adjustment Report 3 2022/23 £'000	Revised Budget Report 3 2022/23 £'000	Approved Budget Report 2 2023/24 £'000	Proposed Budget Adjustment Report 3 2023/24 £'000	Revised Budget Report 3 2023/24 £'000	Approved Budget Report 2 2024/25 £'000	Proposed Budget Adjustment Report 3 2024/25 £'000	Revised Budget Report 3 2024/25 £'000	Revised Budget Report 3 TOTAL £'000
6,856 (1,300) (271)	81	6,937 (1,300) (271)	4,534 (1,300) (270)	6,937 (1,300) (271)	161 0 0		161 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	7,098 (1,300) (271)
5,285	81	5,366	2,964	5,366	161	0	161	0	0	0	0	0	0	0	0	0	5,527
1,476 (160) (188) (383)	(124)	1,352 (160) (188) (383)	670	1,352 (160) (188) (383)	0 0 0 0	124	124 0 0 0	0 0 0 0		0 0 0 0	0 0 0 0		0 0 0 0	0 0 0 0		0 0 0 0	1,476 (160) (188) (383)
745	(124)	621	287	621	0	124	124	0	0	0	0	0	0	0	0	0	745
772 (160) (149)	767 (80) (236)	1,539 (240) (385)	588	1,539 (240) (385)	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	1,539 (240) (385)
463	451	914	439	914	0	0	0	0	0	0	0	0	0	0	0	0	914
3,114 (1,400) 0		3,114 (1,400) 0	1,668	3,114 (1,400) 0	760 0 0		760 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	3,874 (1,400) 0
1,714	0	1,714	1,668	1,714	760	0	760	0	0	0	0	0	0	0	0	0	2,474
59 0 0	6	65 0 0	70	65 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	65 0 0
59	6	65	70	65	0	0	0	0	0	0	0	0	0	0	0	0	65
0 0 0		0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
0 0 0	1	1 0 0	1	1 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	1 0 0
0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
0 0 0	9	9 0 0	9	9 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	0 0 0		0 0 0	9 0 0
0	9	9	9	9	0	0	0	0	0	0	0	0	0	0	0	0	9
0 0 0		0 0 0	10	0 0 0	2,692 0 0	(548)	2,144 0 0	2,867 0 0		2,867 0 0	2,894 0 0		2,894 0 0	13,128 0 0		13,128 0 0	21,033 0 0
0	0	0	10	0	2,692	(548)	2,144	2,867	0	2,867	2,894	0	2,894	13,128	0	13,128	21,033
8,266	424	8,690	5,448	8,690	3,613	(424)	3,189	2,867	0	2,867	2,894	0	2,894	13,128	0	13,128	30,768

	Approved Budget Report 2 2020/21 £'000	Proposed Budget Adjustment Report 3 2020/21 £'000	Revised Budget Report 3 2020/21 £'000	Actual to 31-Dec-20 2020/21 £'000	Projected Outturn Report 3 2020/21 £'000	Approved Budget Report 2 2021/22 £'000	Proposed Budget Adjustment Report 3 2021/22 £'000	Revised Budget Report 3 2021/22 £'000	Approved Budget Report 2 2022/23 £'000	Proposed Budget Adjustment Report 3 2022/23 £'000	Revised Budget Report 3 2022/23 £'000	Approved Budget Report 2 2023/24 £'000	Proposed Budget Adjustment Report 3 2023/24 £'000	Revised Budget Report 3 2023/24 £'000	Approved Budget Report 2 2024/25 £'000	Proposed Budget Adjustment Report 3 2024/25 £'000	Revised Budget Report 3 2024/25 £'000	Revised Budget Report 3 TOTAL £'000
Increase in Council House Stock																		
Council House Buy-Backs	2,479		2,479	804	2,479	2,337		2,337	833		833	0		0	0	0	0	5,649
Scottish Government Subsidy	(840)		(840)	(210)	(840)	0		0	0		0	0		0	0	0	0	(840)
	1,639	0	1,639	594	1,639	2,337	0	2,337	833	0	833	0	0	0	0	0	0	4,809
Lock-ups and Garage Sites	0		0		0	0		0	0		0	0		0	50		50	50
Standard Delivery Plan																		
Central Heating and Rewiring Works	1,572		1,572	409	1,572	250		250	0		0	0		0	250		250	2,072
- less Third Party Contribution	(590)		(590)	(100)	(590)	0		0	0		0	0		0	0		0	(590)
Rewiring, Infrastructure & Property Refurbishment	41	133	174	112	174	0		0	1,000		1,000	1,000		1,000	1,959	(133)	1,826	4,000
Triple Glazing	227		227	116	227	0		0	0		0	0		0	0		0	227
Controlled Door Entry	42		42	20	42	10		10	10		10	0		0	30		30	92
Kitchen Moderisation Programme	74		74	22	74	343		343	632		632	1,332		1,332	2,129		2,129	4,510
Bathroom Moderisation Programme	65		65	58	65	25		25	0		0	654		654	1,217		1,217	1,961
External Fabric	418	65	483	90	483	1,469		1,469	1,376	(65)	1,311	1,098		1,098	1,875	(722)	1,153	5,514
Energy Efficiency	473		473	381	473	454		454	83		83	0		0	1,500		1,500	2,510
- less Third Party Contribution	0		0	(19)	0	0		0	0		0	0		0	0		0	0
Multi Storey Flats	1,348		1,348	14	1,348	1,012		1,012	0		0	0		0	0		0	2,360
Environmental Improvements	142	78	220	141	220	45	288	333	0	334	334	0	333	333	311	(311)	0	1,220
Fire Precaution Measures	73		73	26	73	50		50	400		400	500		500	1,000		1,000	2,023
Sound Insulation	0		0		0	0		0	146		146	162		162	142		142	450
Structural	0		0		0	0		0	438		438	458		458	354		354	1,250
Total Standard Delivery Plan	3,885	276	4,161	1,270	4,161	3,658	288	3,946	4,085	269	4,354	5,204	333	5,537	10,767	(1,166)	9,601	27,599
Other Investment in Council House Stock																		
Total Major Adaptations to Council House Stock	141		141	54	141	0		0	0		0	0		0	100		100	241
Balmoral Road, Rattray, Refurbishment (3 Units)	115		115		115	160		160	0		0	0		0	0		0	275
Rannoch Road Conversion, Perth, 5 Units	32		32	3	32	0		0	0		0	0		0	0		0	32
149-151 Dunkeld Road, Perth	108		108	10	108	0		0	0		0	0		0	0		0	108
St.Catherine's Square Redevelopment	0		0		0	0		0	0		0	2,991		2,991	402		402	3,393
Shops & Offices	89		89		89	50		50	70		70	50		50	50		50	309
Greyfriars and Satellite Sites	0		0	2	0	43		43	0		0	0		0	50		50	93
Sheltered Housing	26		26		26	25		25	0		0	0		0	18		18	69
General Capital Works	39		39	46	39	10		10	40		40	36		36	10		10	135
Upgrade and Replacements to Lifts Programme	83		83		83	60		60	0		0	0		0	0		0	143
ICT Expenditure	193		193	43	193	50		50	50		50	50		50	50		50	393
Mortgage to Rent	25		25		25	50		50	50		50	50		50	50		50	225
- Less Scottish Government Grant	0		0		0	0		0	0		0	0		0	0		0	0
Total Other Investment in Council House Stock	851	0	851	158	851	448	0	448	210	0	210	3,177	0	3,177	730	0	730	5,416
Total Net Expenditure	14,641	700	15,341	7,470	15,341	10,056	(136)	9,920	7,995	269	8,264	11,275	333	11,608	24,675	(1,166)	23,509	68,642
Income																		
CAPITAL RECEIPTS (Muirton)	(258)		(258)	(258)	(258)	(74)		(74)	0		0	0		0	0		0	(332)
CFCR	(2,060)	(34)	(2,094)		(2,094)	(3,155)		(3,155)	(3,724)		(3,724)	(4,004)		(4,004)	(4,416)		(4,416)	(17,393)
TOTAL BORROWING REQUIREMENT	12,323	666	12,989	7,212	12,989	6,827	(136)	6,691	4,271	269	4,540	7,271	333	7,604	20,259	(1,166)	19,093	50,917

PERTH AND KINROSS COUNCIL

SPECIAL COUNCIL

27 January 2021

REVIEW OF PLANNING ENFORCEMENT CHARTER

Report by Head of Planning and Development (Report No. 21/10)

PURPOSE OF REPORT

This report seeks approval of an updated version of the Council's Planning Enforcement Charter, following a regular review, as required by legislation.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Town and Country Planning (Scotland) Act 1997 (as amended) places a statutory requirement for Planning Authorities to prepare and publish a Planning Enforcement Charter. The Act specifically requires charters to set out:
 - a statement of the Authority's policies as regards their taking of enforcement action.
 - an account of how members of the public can bring any ostensible breach of planning control to the attention of the Authority.
 - how any complaint about how the Authority takes enforcement action can be made.
 - the Authority's procedures for dealing with any such complaint.
- 1.2 There is a requirement for Planning Authorities to review, update and publish a new Charter whenever they think it is appropriate to do so but no later than two years after last being published. The Council, through the Enterprise and Infrastructure Committee, approved and adopted the existing Planning Enforcement Charter on 23 January 2019 ([Report Number 19/17](#) refers). The final published Charter approved by Committee is available to view on the [Council's website](#).
- 1.3 The Planning Enforcement Charter is key to clarifying the Council's role within, and approach to, planning enforcement; both to stakeholders who report suspected breaches of planning control and to those who have an interest in the site subject of the possible breaches. Throughout the last two years, officers have gained further experience of applying the objectives of the Charter. This, together with feedback from stakeholders during the consideration of enforcement cases, has been used to examine the effectiveness of the Charter and identify areas for improvement. Selective benchmarking and reviewing of other authorities' charters was also undertaken as part of this process.

- 1.4 The Council's approach to planning enforcement was also informed by the Scrutiny Review of Planning Enforcement, completed in September 2018 ([Report Number 18/290](#) refers). The recommendations contained in the Scrutiny Review Report on Planning Enforcement ([Report Number 16/397](#) refers) helped shape the 2016 and 2019 charters, and continues to provide focus for the objectives and approach to enforcement, as set out in the proposals below.

2. PROPOSALS AND REVIEW

Charter Review

- 2.1 As advised above, the previous charter reviews identified the priority areas for planning enforcement within Perth and Kinross, informed through the Scrutiny Review and a stakeholder engagement process. It is considered that the key priorities for, and our approach to, planning enforcement expressed through the existing Charter remain sound and fit for purpose, as well as reflecting Council objectives.
- 2.2 Accordingly, the proposed 'Priorities for Planning Enforcement' for the 2021 Charter review remain fundamentally the same. However, the impacts on the economy, businesses and individuals as a result of the Coronavirus pandemic have been recognised, through the addition of a new priority to underline the proportionate use of action and to act sensitively to such exceptional circumstances. This approach extends this general principle set out in the Scottish Government's Circular 10/2009: Planning Enforcement, to act sensitively to account for impacts on small businesses when taking enforcement action, as already highlighted in the existing Charter. This approach is also consistent with the support given to businesses as set out in [Re-Opening after Coronavirus: guidance for businesses](#). The support provided by Planning within this guidance demonstrates our use of discretion to allow businesses to operate more flexibly than regulations normally otherwise allow.
- 2.3 The proposed 2021 Charter is provided in Appendix 1. The main changes proposed in the updated charter are highlighted with the use of italics. The changes seek to:
- explain more clearly to stakeholders what the role of planning enforcement is
 - how it operates within the Council's wider objectives
 - how the objectives of Development Plan policies are considered
 - how Scottish Government guidance is put in to practice
 - how and when proportionate enforcement action will be taken – in instances only where the identified planning harm warrants this.

- 2.4 At the outset of the proposed Charter, the Foreword provides a summary and overarching message on our approach. It also provides the key details on how to report a suspected breach of planning control and where further, more detailed, guidance on planning enforcement can be found. The role of the Planning Enforcement Service, our approach to enforcement and the aims of Charter – specifically highlighting the key role our customers play and how they are engaged in the process – are summarised. Having established this overall context, our ‘Priorities for Planning Enforcement’, as referred to above, are then set out.
- 2.5 The Charter guides the stakeholder through the planning enforcement process, as far as possible chronologically through the key stages of the process – assisted through a flow chart of these key stages. This provides information about what to expect as a customer (the ‘customer journey’):
- identifying what constitutes a breach of planning control;
 - how to report suspected breaches to us;
 - explaining possible informal and formal action that could be taken by the Planning Authority;
 - our process for investigating reported breaches; and
 - how we will act on breaches to secure compliance or a conclusion to the case, where appropriate.
- 2.6 The proposed Charter seeks to integrate and broaden the accessibility for customers within the planning enforcement process. Accessibility has been further enhanced through the introduction of a new [‘Breach of Planning Control – Report’](#) form on the Council’s MyPKC service in March 2019. This interactive form replaced the previous manual form and allows suspected breaches to be reported more easily, with immediate confirmation that it has been received. Since launching, over 300 cases have been reported through this portal.
- 2.7 Effective communication remains an essential part of the process. The feedback received from stakeholders within planning enforcement again highlights an opportunity to improve how we keep customers informed throughout the process. To Support the ‘customer journey’, as set out in paragraph 2.5 above, the revised Charter proposes to retain the seven ‘Service Standards’ introduced in the 2019 Charter; each covering a key stage of the process, to underpin the level of service that the customer can expect and defining timescales for communication or setting targets for the Planning Authority to take action or make decisions.
- 2.8 These service standards have also been useful in setting out a process map for officers and stakeholders alike to follow. The service standards could also be used to assess performance and identify areas for improvement (which could be reported in the Annual Planning Performance Report).

Service Improvements

- 2.9 Introduced as part of the 2019 review, Service Standard 5 referred to an 'Enforcement Case Closure Report' being developed as a priority for improved engagement with customers. The reports would demonstrate if there was a breach of planning control, what action was taken and why an enforcement case was closed and add further transparency to this process. This report was launched in January 2019 and, to date, over 500 enforcement cases has been concluded by a Closing Report being prepared.
- 2.10 The 2019 review of the Charter also committed to making these reports accessible to the public, including their publication on the [Online Planning System](#). A copy of each Closing Report is provided to both the complainant and person subject of the enforcement investigation. It is also intended to make planning enforcement cases accessible on the Online Planning System, accompanied with the publication of Closing Reports. This implementation was further delayed; however, the facility will be launched in the coming weeks.
- 2.11 As with the previous version of the Charter, upon Committee approval, it is again proposed to request the Council's Design Team to produce the final document for publication to make it more visually appealing and accessible. The publication will be in booklet form, being available in electronic format from the [Planning Service's website](#) and will be distributed in electronic format in the first instance, wherever possible. A small provision of hard copies will also be printed.

Future Review Process

- 2.12 As noted above, the Planning Authority is required to review, update and publish a new Charter when necessary but no later than every two years. Previous practice has been to undertake a biennial review, seeking formal approval from Committee prior to adoption and publication.
- 2.13 However, it is recognised that this process has not allowed for adaptation to changing circumstances or priorities in the interim; such as embedding our approach during the Coronavirus pandemic. While the Planning Enforcement team contributed to the policy introduced by the Council, and have fully implemented the support and flexibility advocated in this, it would have been opportune to convey this support in a reviewed Charter – to echo the principles of Council guidance. It may also be necessary, on occasion, to make minor changes linked to organisational, process or compulsory legislative requirements.
- 2.14 To enable these changes to be made quickly, approval is sought from Committee to delegate this responsibility to officers. It is still intended to report to Committee no later than a biennial basis to highlight any such cumulative minor changes and/or to seek any fundamental changes to the Planning Enforcement Charter.

3. CONCLUSION AND RECOMMENDATIONS

3.1 The revised Planning Enforcement Charter builds on the principles of our approach to, and our priorities for, planning enforcement as established through earlier customer engagement and the Scrutiny Review on Planning Enforcement. Several refinements and clarifications have been made to the revised Charter to make the process clearer for all stakeholders. It is also intended to provide more effective communication and accountability within the planning enforcement process. The publication of the revised Charter will set out these updated principles and represent a material consideration for officers in the handling for all planning enforcement matters.

3.2 It is recommended that the Council:

- (i) approves the proposed Planning Enforcement Charter (2021), as set out in the Appendix to this report;
- (ii) agrees to delegate any subsequent minor amendments to the Head of Planning & Development; and
- (iii) requests that any such minor amendments are reported to the Strategic Policy & Resources Committee as part of the 2023 Charter Review.

Author

Name	Designation	Contact Details
Jamie Scott	Team Leader (Major Applications and Enforcement)	01738 475000 HECommitteeReports@pkc.gov.uk

Approved

Name	Designation	Date
David Littlejohn	Head of Planning & Development	1 December 2020
Barbara Renton	Executive Director (Communities)	6 January 2021

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan

- 1.1 This report supports the delivery of the strategic objectives within the Perth and Kinross Community Plan in terms of the following principles:

- (iii) Promoting a prosperous, inclusive and sustainable economy; and
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

- 1.2 This report contributes to the achievement of the following the Corporate Plan Priorities:

- (iii) Promoting a prosperous, inclusive and sustainable economy; and
- (v) Creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

- 2.1 There are no direct financial implications arising from this report, other than costs from the publication of the finalised Charter.

Workforce

- 2.2 There are no implications arising from this report.

Asset Management (land, property, IT)

- 2.3 There are no implications arising from this report.

3. Assessments

Equality Impact Assessment

- 3.1 Following an assessment using the Integrated Appraisal Toolkit, it has been determined that the proposal is **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as the subject of this report does not qualify as a plan, programme or strategy (PPS) as defined by the Act and is therefore exempt.

Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council must discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
 - in the way best calculated to deliver any statutory adaptation programmes; and
 - in a way that it considers most sustainable.

- 3.4 There are no adverse sustainability implications of the report under this legislation.

Legal and Governance

- 3.5 There are no implications arising from the report.

Risk

- 3.6 There are no risks associated with the report.

4. Consultation

Internal

4.1 None.

External

4.2 None.

5. Communication

5.1 The revised Charter will be widely publicised to raise awareness with stakeholders. It will be available in electronic format from our website and hard copies made available.

2. BACKGROUND PAPERS

- Perth and Kinross Planning Enforcement Charter (2018)
- The Sixth Scrutiny Review Report on Planning Enforcement considered by the Scrutiny Committee on 21 September 2016.

3. APPENDICES

- Appendix 1 - Proposed Planning Enforcement Charter (2021)



Perth and Kinross Council

Planning Enforcement Charter

Revised January 2021

Foreword

Development within Perth and Kinross contributes towards the Council's objectives and priorities for the area, as expressed through our [Corporate Plan 2018-2022](#). Planning Enforcement plays an important role to uphold this contribution and to maintain public confidence in the planning system, by ensuring that the intended benefits of development are realised and our natural and built assets are protected.

This Charter sets out *Perth & Kinross Council's* approach, as *Planning Authority*, to planning enforcement; *which* places the public and all stakeholders in the planning system at the core of what we do. We therefore set out what we can and cannot do, explain the processes involved and make a commitment on the level of service we aim to provide. We value public input in this process and, as such, we endeavour to make the reporting of possible breaches of, and engagement within the planning system, by the public accessible to all.

You can report a suspected breach of planning control using *our online [Breach of Planning Control Report Form](#)* or by submitting an email to us:

PlanningEnforcement@pkc.gov.uk

If you are unsure about whether the development or work carried out is a breach of planning control, you can check what does and does not need permission on these webpages:

<http://www.pkc.gov.uk/article/15035/Planning-Enforcement>

<http://www.pkc.gov.uk/article/14991/What-needs-planning-permission->

You can check to see if a development has a valid planning permission or other required consents by using our [Online Planning System](#).

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The Planning Enforcement Service

Planning permission is required for most forms of development unless it is classed as 'permitted development'. When development or work is undertaken without permission, or not in accordance with an approved permission or consent, *discretionary powers are available to Councils' to investigate and take enforcement action, when it is in the public interest to do so. It is for the Council's to decide whether to take enforcement action, based on the significance of the breach and any impacts or planning harm.*

It is the role of the Planning Enforcement team to carry out these duties. A comprehensive guide to Planning Enforcement can be found in the [Scottish Government's Circular 10/2009](#).

This Charter outlines how the planning enforcement system operates and what can be expected of the service provided by the Council. Planning Enforcement Charters are a statutory requirement for Planning Authorities *to regularly maintain and review when needed, but to at least review every two years.*

This Charter explains the role of the Council and how enforcement process works and sets out:

- The Council's role and policy on taking Planning Enforcement Action, including our priorities and the service standards you as a customer (both those who report breaches or who are *being investigated*) can expect;
- How customers can bring any breach of planning control to the attention of the Council;
- Explains what happens at each stage of what can sometimes be a lengthy process; and
- How any complaint about the Council taking enforcement action can be submitted and how it will be dealt with.

We continually monitor the implementation of the Charter to ensure that standards are being met and priorities are being addressed. As part of this review process, we publish an [Annual Planning Enforcement Report](#) on our performance. This Charter reflects this review process since our last charter was published in October 2016.

Our Approach to Planning Enforcement

Perth & Kinross Council's *role* for planning enforcement is *not to punish but to resolve the planning harm, wherever possible using negotiation in the first instance. If this is not possible, formal action may then be necessary to remedy the breach. As a discretionary power, however, the Council needs to consider in each case if enforcement action is justified and in the wider public interest. The Council is not required to take any particular action and may decide, in some cases, that not acting is justified. We will produce a Closing Report explaining our reasoning for all enforcement cases that are closed.*

Scottish Government guidance on the use of enforcement powers is provided in [Circular 10/2009 'Planning Enforcement'](#). This guidance explains, among other matters, that Council's should not take enforcement action just to address a breach of planning control if the development is otherwise acceptable in planning terms and is sensitive to the impact of enforcement action on small businesses. The primary aim for seeking retrospective planning consent is normally to secure ongoing controls through the imposition of planning conditions.

Our Planning Enforcement team undertake regular monitoring, *particularly of major or significant developments to ensure compliance with conditions and legal agreements associated with planning permissions. A statutory requirement is expected to be introduced requiring the Council to set out in our Charter how we will monitor compliance with planning permissions for all major developments. We already have a monitoring processes in place and we are reviewing how this will be developed to meet the new requirements and how this will be made available to the public.* We also carry out investigations of development where permission does not exist, *which forms a significant portion of cases.*

Ultimately, we seek to ensure that effective action is taken against breaches of planning control, particularly where these have significant adverse impacts on the environment or on communities. Accordingly, we set out our **Priorities for Planning Enforcement** below.

Priorities for Planning Enforcement

Whilst we will consider all observations of suspected breaches of planning control, including non-compliance with planning conditions and obligations, our priorities will be to direct resources to significant or harmful breaches of planning control including:

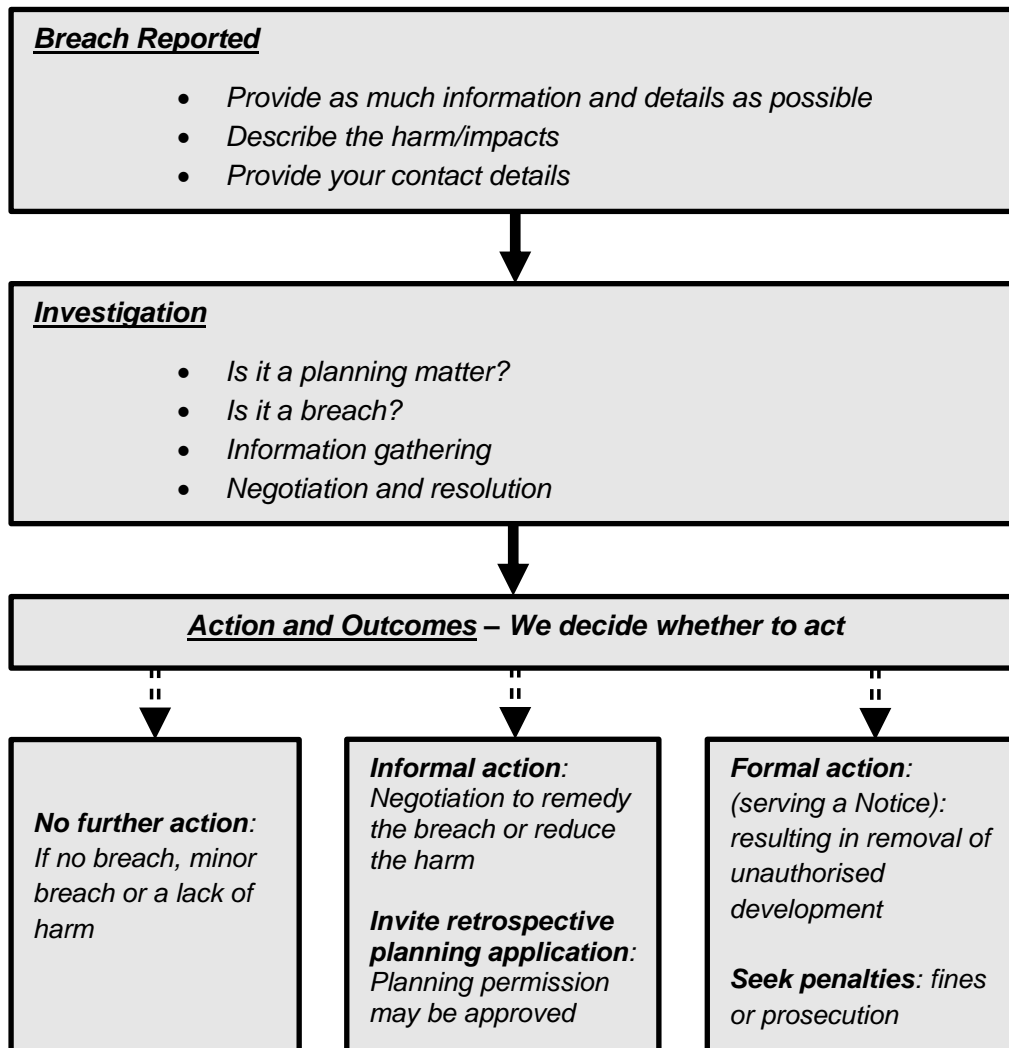
Significant detrimental impacts on matters of environmental importance , especially on sensitive or protected environments.
Matters of pedestrian and traffic safety .
Significant detrimental impacts on residential amenity .
Significant detrimental effects on public visual amenity .
Breaches of condition or the terms of a legal agreement in respect of a major development or development where there is a significant level of community interest .
Damage to Listed Buildings and works which adversely affect their character.
Breaches of planning control within designated Conservation Areas , particularly where improvement schemes have been promoted by the Council.

Unauthorised felling of or works adversely affecting all trees protected by (**Tree Preservation Orders, trees in Conservation Areas** and where **planning conditions apply**).

Breaches of planning control which undermine a **Council policy or programme**.

Based on the principles within the Scottish Government's Circular 10/2009 and the Council's wider policies, we will act sensitively and proportionately when taking enforcement action if that action would affect the economic wellbeing a business.

Stages of the Enforcement Process



Reporting a Breach of Planning Control

When a breach of planning control is received or identified, there are two decisions for the Planning Enforcement team:

- Whether a breach of planning control has taken place; and
- If a breach has occurred, whether it is expedient to take any enforcement action.

As advised previously, the decision of whether to act is at the discretion by the Council and is a matter of judgement, having regard to planning facts and circumstances of the case. Any action taken must be in the public interest and be proportionate to the breach.

If you believe work or development being carried out *is* a breach of planning control, you can submit this to us through our interactive [**Breach of Planning Control Report Form**](#). *All reports are handled confidentially.*

When reporting a breach, you should:

- *Provide your contact details (preferably an email address);*
- *Provide or describe the address/location;*
- *Explain the nature and extent of the development/works;*
- *State when the development/work started or were completed;*
- *Detail the owner and/or who might be undertaking the works;*
- *List any relevant planning permissions;*
- *Provide photographs of the development/works; and*
- *Provide any other information you consider relevant (such as dimensions, hours of any activities, online information like business websites etc.)*

Breaches of Planning Control

Planning breaches include:

- Work being carried out without planning permission or a related consent;
- An unauthorised change of use;
- Failure to comply with conditions attached to a permission or consent; and
- Departures from drawings or documents approved as part of a planning permission or other consent.

We do undertake proactive monitoring of approved developments; however, it is not possible, to monitor every development. Consequently, the public play an extremely important role in alerting the Council to, and providing information on, any possible breaches they are aware of, whether that development has planning permission.

Possible or known are often identified by the public when purchasing a property. There is an opportunity, through the conveyancing process, for the public to establish any such breaches through [**Property Enquiry Certificates**](#) – which will provide information on any enforcement notices or other notices that affect the property or land. The sales process is often a good opportunity to remedy existing breaches between the seller, buyer and the Council. *Unresolved breaches of planning control can hinder or stop the sale, so the Council encourages all property owners to remedy breaches even where it has determined that enforcement action will not be taken.*

You can check to see [what needs planning permission](#) on our website. You can also see if the developer already has planning permission and/or other consents in place, as well as and conditions that are attached to these, by using our [Online Planning System](#).

Other Enforcement Controls

Other types of work or possible offences can be reported to us, through our [Breach of Planning Control Report Form](#), so we can investigate whether a breach or offence has taken place. These include:

Listed Buildings and Conservation Areas

The enforcement rules that apply to **Listed Buildings**, demolitions and works in a **Conservation Areas** are set out in the [Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997](#) and associated regulations. Unauthorised works can lead to a Listed Building Enforcement Notice being served and such unauthorised work can constitute a criminal offence, which could result in a £50,000 fine and/or a custodial sentence of up to 6 months.

Advertisements

Different procedures again apply compared to development. Adverts are regulated through the [Town and Country Planning \(Control of Advertisements\) \(Scotland\) Regulations 1984](#). These controls relate to the form and siting of adverts only and we have the ability to serve Advertisement Enforcement Notices. The actual **content** of an advertisement **is not** covered by planning control and any complaints about this should be made to:

The Advertising Standards Authority
Mid City Place
71 High Holborn
London
WC1V 6QT

Or by visiting: <http://www.asa.org.uk>

Trees

Under S171 of the Town and Country Planning (Scotland) Act 1997, it is an offence to carry out works to trees subject to statutory protection, that results in their uprooting, felling, lopping or wilful destruction, without the prior consent of the planning authority.

Formal action can be taken against persons who have carried out unauthorised works to trees that are subject to statutory protection by virtue of either a Tree Preservation Order (TPO) or a *tree(s)* being within a Conservation Area. Where protected trees have been removed or destroyed formal action can take the form of service of a Tree Replacement Notice requiring tree replacements. In certain cases, reports for offences in respect of trees may be submitted to the Procurator Fiscal and, if successful, can result in fines up to £20,000.

Trees – Other Controls

In addition to planning controls, you may need a Felling Permission from Scottish Forestry to fell trees. Further guidance on this process, and details of works exempt from needing approval, can be found at:

<https://forestry.gov.scot/support-regulations/felling-permissions>

High Hedges

*Within the Council's enforcement function, we have the power to serve a High Hedge Notice under the [High Hedges \(Scotland\) Act 2013](#). This requires a resident whose amenity is severely affected by a high hedge to formally apply to the Council to have a notice served on the hedge owner to remove or reduce the adverse impact of the high hedge. *The owner has the right of appeal against any Notice served, as does the applicant where a notice is not served. Where a Notice is not complied with, we have power to take formal action and undertake works directly.**

Further information on our approach and remit for [High Hedges](#) can be found on our website.

NOTE: High Hedges applications will be determined in accordance with their own statutory process and timescales, and, as such the **Service Standards** set out within this Charter do not apply.

Non-Planning Matters

Where an enquiry relates to non-planning matters, these cannot be investigated by the Council through Planning Enforcement. Instead, they can only be addressed by the individuals themselves. These matters include any neighbour disputes or issues over civil matters such as:

- *The ownership of land: If someone has undertaken development on your land, we can only consider the requirement of planning permission and need for enforcement action. If formal action is to be taken, the planning authority is required to serve an enforcement notice on the owner of the land, as well as other interested parties. For this reason, you should seek your own legal advice on these matters; or*
- *Connection to utility services: When applying for planning permission, developers are required to confirm to the planning authority what water or sewerage connections are required for the proposed development. However, providing these services is a civil matter and/or a matter for any statutory undertaker to approve any such connections.*

If your enquiry relates to another function of the Council, we will direct this to the appropriate department. If unauthorised works or development are being undertaken on a council owned property, you should report these works to the relevant department such as housing, education or estates in the first instance.

Investigating Possible Breaches of Planning Control

The Council will always treat information about the identity of people who report breaches to us in confidence and will only disclose it when required to do so by law.

We do encourage you to provide your name and contact details, as we may require further information from you as the investigation progresses or to understand the impacts of the breach and how it affects you. This also allows us to keep you informed of progress and the outcome of our investigations.

Where an anonymous observation is received, we reserve the right to choose not to investigate. Where it relates to one of our priority areas, or it is judged to be in the public interest, we are more likely to investigate breaches that have been reported anonymously.

Registration of Your Observation

When we receive an observation, we *first* check that it includes all the information we need for an enforcement case to be investigated. Where an enquiry relates to non-planning matters, such as neighbour disputes or other civil issues, these cannot be investigated by the Council. If your enquiry relates to another function of the Council, we will direct this to the appropriate department.

Service Standard - 1: *After preliminary checks, we will register your enforcement observation and you will receive either an email or written confirmation of this within 5 working days from receipt. This acknowledgement will include the reference number for the case as well as the contact details of the investigating Enforcement Officer.*

Initial Investigations

Following registration, an Enforcement Officer may visit the site to investigate the possible breach of planning control. The timescales for this will depend on factors such as the type and significance of the breach. The Council has legal powers to enter land or property in order to identify if a breach of planning control has taken place. The same powers are available throughout the process for the purposes of investigation or assessing compliance with any enforcement notices served (see '[Resolving Cases](#)' below).

Service Standard - 2: *Where a site visit is required we will undertake this within 15 working days from receipt of the observation.*

In some cases, we may require further information from you about the suspected breach, such as photographs or evidence of development or activity, before or instead of visiting the site. Additional investigation at this stage may also be required for some cases to establish if a breach has occurred, such as utilising our legal powers to seek information from the developer(s) about the use of land and/or parties that have an interest in the land. This can include us serving a Planning Contravention Notice (PCN). The serving of notices for this purpose may lengthen the process and, if this is required, this will be explained to you where possible.

Service Standard - 3: *You will receive a follow-up response to your observation within 20 working days of receipt. This will advise of any provisional findings and, where relevant, detail the proposed course of action for the case, which could mean enforcement action being taken. Communication will also be made at this stage with the Developer on our findings and possible action.*

You may also be advised at this stage if the observation does not constitute a breach of planning control or is not a planning matter – either of which will result in your case being closed. We will set out in writing our reasoning for all cases closed in a Closing Report.

Resolving Cases

Where a breach of planning control is identified and we provide an undertaking to resolve it *to address significant planning harm*, through informal or formal means, we will do this as quickly as possible. It is advised, however, that progress on the case can be delayed for several reasons; such as the collection and verification of which could be over a period of time, so negotiations could take place or where formal procedures are instigated.

The resolution to a breach may be through a planning application or other consents (such as Listed Building Consent) being submitted to regularise the breach. Where the development is likely to be acceptable, the Council may seek the submission of an application in retrospect as a valid means of assessing the development *and possibly addressing the breach*. A formal decision will be made through the planning application process. You will, however, have the right to make representation on the application, *which is separate to any breach reported*. *The application process* will increase the timescales for the enforcement case.

Service Standard - 4: *Where works or development has been carried out without planning permission, but we consider that the development is likely to be acceptable in terms of Development Plan policy, we may invite an application or we may serve a notice under Section 33A of the Planning Act that requires the developer to submit a planning application retrospectively.*

Where we previously advised that a conclusion to a case has not been reached, we will keep you informed of the progress with the case or notify you its conclusion. If at any point we decide that further action is not justified, we will inform you of this and the reasons for that decision. In some cases, it may be inappropriate to regularly provide an update on the progress of enforcement action, particularly when the matter proves difficult to resolve quickly. You will be advised accordingly in such circumstances.

Service Standard - 5: *We will either conclude the case within, or provide an update to you, within 40 working days from receipt of your observation.*

When an enforcement case is being closed, a Closing Report will be prepared which will explain why we have come to a decision. This report will be made available to the public.

Acting on Breaches of Planning Control

Informal Action and Discretion

It should be noted that, even though planning controls have been breached, in some cases formal action may not be appropriate. Furthermore, most breaches of planning control are resolved through informal action. The Council is obliged to use its discretion when considering action and be proportionate with formal powers. Each case must be considered on its own merits and the best solution in the circumstances must be decided. Only a relatively small number of cases require formal enforcement action where we will serve a formal notice.

Formal Action

If we are unable to resolve a breach through informal measures, or through a planning application, we may take formal enforcement action through the serving of a notice, where such action is justified. This will normally be either an Enforcement Notice or a Breach of Condition Notice. In some cases, a Stop Notice or a Temporary Stop Notice might also be appropriate. Notices will clearly explain what is required, the timescales involved and the available options to resolve the issue.

It should also be noted that an enforcement notice will be associated with the building or land to which it relates until its provisions have been fully discharged. This will be highlighted in any Property Enquiry Certificate issued when a property is being sold.

The type of notices we can serve and when they can be served is fully explained in the [Scottish Government's Circular 10/2009](#). In summary, the Council's powers include the ability to issue a **Temporary Stop Notice** to stop development. These Notices are valid for up to 28 days and are effective from the time they are served, without requiring that an Enforcement Notice be served first. This allows the Council 28 days before a formal Enforcement Notice and Stop Notice, if necessary, require to be served.

In most cases where a breach merits formal action, an **Enforcement Notice**, or a similar notice such as a **Listed Building Enforcement Notice, Breach of Condition Notice or Amenity Notice** is served on those involved in the development or who own or have an interest in the property. These notices include the following information:

- A description of the breach of control that has taken place.
- The steps that should be taken to remedy the breach.
- The timescale for taking these steps.
- The consequences of failure to comply with the notice.
- Where appropriate, any rights of appeal the recipient has and how to lodge an appeal.

An **Enforcement Notice** can be accompanied by a **Stop Notice** if it is considered justified to prevent, for example, further work being carried out which is likely to have a significant detrimental impact on matters such as environmental quality.

Where a Notice is not complied with there may be further consequences and the Council will usually take further formal steps, which can include:

- The issue of a fixed penalty notice;
- Seeking interdicts or referral of the case to the Procurator Fiscal for prosecution; or
- Direct action by the Council, to undertake the action specified in a notice, which will include seeking recovery of our costs.

In taking such action, the Council will consider the most effective means of ensuring compliance with the notice(s). The authority to proceed with taking formal action or legal proceedings has been delegated to the Head of Planning and Development.

Service Standard - 6: *We will, where it is considered expedient to do so, aim to serve any enforcement notice within 3 months from the date of the original observation and we will advise you when this is done.*

Appeals

Where a notice is served the Developer can, in most cases, submit an appeal to the Scottish Ministers. Most enforcement appeals are delegated to Reporters within the [Scottish Government's Planning and Environmental Appeals Division \(DPEA\)](#) to determine. If this happens timescales will be affected. The Council will defend notices served and you will also have the opportunity to make representation to the Scottish Ministers during the appeal process.

Service Standard - 7: *Where an appeal is submitted against a notice we will advise you that an appeal has been submitted and inform you on how you can monitor the outcome of this appeal. Following an appeal decision, we will advise of any further action we will take, as appropriate.*

Further Information

Enforcement Register

We maintain an Enforcement Register, which details all notices served by the Council. A list of recent [Enforcement Notices is available on our website](#).

Alternatively, our statutory **Enforcement Register** can be inspected in person, during normal office hours, by visiting:

[Perth and Kinross Council](#)
[Pullar House](#)
[35 Kinnoull Street](#)
[Perth,](#)
[PH1 5GD.](#)

Time Limits for Enforcement

Planning Enforcement action must be taken within strict **time limits**:

- **A four-year limit** applies to unauthorised operational development (the carrying out of building, engineering, mining or other operations in, on, over or under land) and change of use to a single dwellinghouse.
- **A ten-year limit** applies to all other development including change of use (other than to a single dwellinghouse) and breaches of condition.

There is no time-limit restricting the commencement of Listed Building Enforcement Action or action concerning a Tree Preservation Order.

Customer Care and Complaints Process

The Perth and Kinross Council's [Customer Service Standards](#) explain the level of service you can expect when contacting Planning Enforcement in writing, by telephone or in person. We are committed to providing high quality customer care and we welcome suggestions on how we can improve our service.

We will respond within 15 working days of receiving a suggestion about our Planning Enforcement service. We will consider all suggestions made and use them to review and improve the service we provide. We will communicate with you on any changes we implement.

Any formal complaint will be dealt with in accordance with the Council's [Complaints Handling Procedure](#). We will always tell you who is dealing with your complaint and how it will be handled and what timescales apply. Our complaints process has two steps:

- **Stage One: Frontline Resolution** – we will give you our decision within **5 working days** or less.

If you are not satisfied with the response at Stage One, it will progress to:

- **Stage Two: Investigation** – we will acknowledge your complaint within **3 working days** and provide you a full response within **20 working days**.

Lastly, if you are dissatisfied with the Council's response to your complaint or the way it has been handled, you can ask the [Scottish Public Services Ombudsman](#) (SPSO) to look at it. The contact details for the SPSO are:

SPSO
FREEPOST EH641
Edinburgh
EH3 0BR

Telephone: 0800 377 7330
Website/Online Contact: www.spsso.org.uk/contact-us

Our Contact Details:

Planning Enforcement

[Perth Kinross Council](#)
[35 Kinnoull Street](#)
[Perth](#)
[PH1 5GD](#)

Email: PlanningEnforcement@pkc.gov.uk
Telephone: 01738 475300

If you, or someone you know, would like a copy of this document in another language or format (on occasion only, a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on: 01738 475000.

HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to enable us to investigate the complaint or observation that you have made. The information may be shared with other services within the Council if considered necessary. The information will not be disclosed to third parties.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

For further information, please look at our website www.pkc.gov.uk/dataprotection; email dataprotection@pkc.gov.uk or phone 01738 477933.

PERTH AND KINROSS COUNCIL

27 January 2021

ADOPTION OF SUPPLEMENTARY GUIDANCE ON OPEN SPACE PROVISION AND FLOOD RISK & FLOOD RISK ASSESSMENTS

Report by Executive Director (Communities) (Report No. 21/11)

PURPOSE OF REPORT

This report provides a summary of the comments received on two pieces of supplementary guidance published for consultation in 2019. It makes recommendations for changes where appropriate and seeks consent to finalise and adopt the supplementary guidance to support the second Local Development Plan (LDP2) adopted in November 2019. The report also seeks approval of the revised Policy on Maintenance Options for Public Open Spaces in New Residential Developments which is associated with the supplementary guidance.

1. BACKGROUND / MAIN ISSUES

- 1.1 An updated programme for preparing supplementary guidance to accompany Local Development Plan 2 was approved by Committee on 29 January 2020 (Report No. 20/25). In line with the agreed programme, this report seeks approval of the Open Space Provision for New Developments Supplementary Guidance and Maintenance Policy; and the Flood Risk and Flood Risk Assessments Supplementary Guidance. The documents were consulted on in 2019 and the proposed changes in response to stakeholder feedback are set out in this report (Appendix 1).
- 1.2 Legislation requires that all statutory supplementary guidance to be used with LDP2 is referred to in the Plan, formally consulted upon and submitted to Scottish Ministers. While the new Planning (Scotland) Act removes the option to prepare supplementary guidance, this section of the Act is not programmed to come into force until spring of 2022, when the Scottish Government propose to lay regulations and publish guidance relating to LDPs. Information published to date would suggest that Councils can continue to prepare supplementary guidance which has been committed to in an adopted LDP. Transitional arrangements should be published shortly and are expected to add clarity on how to proceed in the interim.
- 1.3 The following section of the report considers the planning guidance, the comments that were received through the consultation, and suggests changes where considered appropriate.

2. KEY CONCERNS, RESPONSES AND PROPOSED CHANGES ARISING FROM CONSULTATION

- 2.1 The two pieces of guidance are considered below and the key concerns, responses and proposed changes are highlighted. The table in Appendix 1 provides a summary of all the consultation responses and the recommended Council response to these. Copies of the revised guidance can be found in

Appendices 2 & 3. A copy of the revised Policy on Maintenance Options can be found in Appendix 4.

Open Space Provision for New Developments

- 2.2 The Open Space Provision for New Developments Supplementary Guidance has been produced to accompany LDP2 Policy 14: Open Space Retention and Provision. This is a new piece of guidance which was consulted on alongside the Council's revised Policy on Maintenance Options for Public Open Spaces in New Residential Developments.
- 2.3 The consultation process involved a workshop in February 2019 where the draft guidance was introduced to agents and developers, and an online survey open to all stakeholders which received 15 comments. Generally, the guidance was well received, respondents considered it useful to set out the requirements for the design and delivery of open spaces. The feedback, however, highlighted some concerns, primarily from the development industry:

1. Quantity and accessibility standards are too ambitious and would impact on development viability

The table in Appendix 1 explains in detail how quantity and accessibility standards were identified and justifies the Council's position. By setting out requirements upfront, they can be included in land value calculations and factored into viability assessments. While it is not proposed to lower these standards, it is acknowledged that they would be more onerous for smaller developments which are outwith the catchment of existing facilities. It is proposed that a caveat is added to the guidance that allows for alternative arrangements where small proposals would be required to provide new play provision (see Appendix 1 section 5.4).

2. Developers should be able to choose from a range of options for the adoption of public open spaces, including ones without Council adoption.

The Maintenance Policy is unique to Perth and Kinross Council and, as a statutory document, it will provide the policy basis for requiring the Council adoption of Priority Public Open Spaces (PPOS). This is to ensure that PPOS are maintained in perpetuity at a high standard and for public benefit, at no charge to the residents of the area. Other landscaped areas not classified as PPOS can be factored via a Development Management Scheme.

3. As part of Council adoption, charging commuted sums over 20 years and charging for the cost of play area replacement due after 15 years is disproportionate.

The 10-year period which the Council has been working with so far did not prove to be sustainable and required revision. 20 years is more in keeping with other Local Authorities' timeframes and is considered

reasonable as the Council takes on maintenance in perpetuity. The point about charging for play area replacement years is noted, and it is acknowledged that the developer should not be entirely responsible for the replacement of the play equipment. It is proposed that the play area replacement cost is shared with the Council and the developer's contribution is reduced to 1/3 of the total replacement cost (equal to a 5 year period). This would ensure that the developer's responsibility does not extend beyond the 20 years maintenance period.*

*15 years (lifespan of new facility) + 5 years (1/3rd of replacement facility) = 20 years

4. Technical and maintenance requirements make it difficult to achieve multifunctional Sustainable Drainage Systems (SuDS) promoted in the guidance.

The Council held two workshops attended by a number of stakeholders including Scottish Water, SEPA and the development industry in order to address issues around technical requirements, land take and maintenance associated with SuDS design. Based on the workshop findings, the guidance has been updated and a separate, longer-term action plan has been prepared. Sections on design have been revised and illustrations have been added to the supplementary guidance to provide clearer advice on SuDS.

5. The guidance should be informed by an open space audit.

The value of the open space audit is acknowledged. It is a prerequisite for the Open Space Strategy required by the Planning (Scotland) Act 2019 and would support this guidance, as well as the emerging Food Growing Strategy. The Council is currently investigating the resource implications of taking this work forward.

Flood Risk and Flood Risk Assessments

- 2.4 The Council is revising and updating the existing Flood Risk and Flood Risk Assessments Supplementary Guidance to support LDP2 Policy 52: New Development and Flooding. The Guidance assists developers, their consultants and all stakeholders involved in the planning process in relation to flooding and drainage and sets out the requirements of Perth & Kinross Council. It provides detailed guidance, including when a flood risk or drainage impact assessment will be required, and what those assessments should contain. This revised supplementary guidance is largely unchanged from the existing version, although we are seeking to update advice on climate change and to firm up the requirements for sustainable urban drainage systems (SuDS). The guidance sets out the ongoing adoption and maintenance responsibilities for SuDS, including information on new agreements with Scottish Water under Section 7 of the Sewerage (Scotland) Act.

- 2.5 A total of 11 comments were received from a variety of respondents including SEPA, Scottish Water, Scottish Natural Heritage, and the development industry, along with some community representation. In response, it is proposed to make several minor modifications to the guidance to add clarity to technical matters and update references to further guidance documents.

1. SuDS Design and Maintenance

In response to SNH's concerns, it is considered that the guidance should better highlight the need for SuDS to be well-designed and multi-functional and to achieve high amenity and biodiversity standards. In revising the guidance in response to this consultation, it now better emphasises amenity and biodiversity requirements and refers to the Council's Open Space Guide where there is further guidance on these aspects. It also discourages SuDS which are isolated and/or provide little amenity value. The Council has also updated information on joint agreements with Scottish Water under the Sewerage (Scotland) Act, which confirm adoption and ongoing maintenance responsibilities for SuDS. This revision is necessary as at the time of the consultation, the Council was considering a Memorandum of Understanding on these agreements with Scottish Water, and the Council's officers have now considered and adopted the principles set out therein.

2. Climate Change

Another key change proposed is in relation to climate change. Since submitting their comments, SEPA have published 'Climate change allowances for flood risk assessment in land use planning guidance' in April 2019. This guidance includes separate uplift figures for potential future increases in estimated peak river flows, peak rainfall intensity and sea level rise due to climate change. SEPA's conservative guidance on projected national climate change scenarios are based on low probability and high emissions. This assumes limited efforts to mitigate climate change and that greenhouse gas levels in the atmosphere will continue to increase. The Supplementary Guidance has been updated to include for these allowances, which now require a 35% uplift in peak river flow and rainfall intensity (the previous allowance was 20%) to allow for future climate change in the Tay Catchment. These allowances may change again next year, with the release of further research following the UKCIP18 data.

3. Potential Development Areas Behind Flood Protection Schemes

The Council has also considered its approach to potential development areas behind Flood Protection Schemes (FPS). Such schemes are justified on the basis of protecting existing development and not future development. Ideally these schemes would be constructed to reduce the risk of flooding to the 1 in 200 year standard and include a suitable allowance for freeboard and future climate change. However, this is often not feasible and many existing FPS in Scotland were also built to

older standards. As such, an assessment is required in support of any proposed development in these areas. SEPA's guidance notes state that for development to be acceptable, FPS should be built to a 1 in 200 year standard of protection and include a climate change allowance equivalent to a 20% increase in estimated peak river flow. It states that 'in the short to medium term, we consider it pragmatic to continue to require a 20% allowance as a minimum, with the allowances set out in this guidance that are greater than 20% being recommendations only. However, the Council has taken a different approach which was recently endorsed by the LDP2 Examination Reporters' conclusions and recommendations. The Council's approach permits the climate change allowance to be accommodated in the development design (e.g. by raising finished property floor levels) rather than insisting that the FPS itself includes a 20% allowance for climate change. Whilst the approach differs, there is comparable residual risk to the new residential development in view of what the Council proposes. The Council, therefore, considers that in areas defended by a 1 in 200 year FPS, its supplementary guidance should require residential development to have finished floor levels set a minimum of 600mm above the estimated peak flood level which is 1 in 200 year flood level plus a 20% allowance for climate change.

Next Steps for Revised Guidance

- 2.6 The above section provides an update on the changes that are suggested to the supplementary guidance, as a result of public consultation, as well as the Examination of the Proposed Plan. Following consideration of this report, the guidance will be finalised and submitted to Scottish Ministers who have 28 days to consider it. On completion of this process, and if not otherwise directed by Ministers, the guidance will become statutory policy and have the same status as the Development Plan.

3. CONCLUSION AND RECOMMENDATION(S)

- 3.1 This report and associated appendices highlight the significant work undertaken to date in respect of the supplementary guidance required to support LDP2.
- 3.2 It is recommended that the Council:
- i) approves the following pieces of Supplementary Guidance as key policy documents to support LDP2:
 - Open Space Provision for New Developments & Associated Maintenance Policy
 - Flood Risk and Flood Risk Assessments
 - ii) remits the Executive Director (Communities) to finalise the Supplementary Guidance and to submit to Scottish Ministers

Author(s)

Name	Designation	Contact Details
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Approved

Name	Designation	Date
David Littlejohn	Head of Planning & Development	8 December 2020
Barbara Renton	Executive Director (Communities)	6 January 2021

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan

- 1.1 This report supports the Community Plan/Single Outcome Agreement strategic objectives of promoting a prosperous, inclusive and sustainable economy; and creating a safe and sustainable place for future generations.

Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 sets out five outcome-focused strategic objectives that provide clear strategic direction, inform decisions at a corporate and service level, and shape resources allocation. They are as follows:
- (i) Giving every child the best start in life;
 - (ii) Developing educated, responsible and informed citizens;
 - (iii) Promoting a prosperous, inclusive and sustainable economy;
 - (iv) Supporting people to lead independent, healthy and active lives; and
 - (v) Creating a safe and sustainable place for future generations.
- 1.3 This report relates to all of the above.

2. Resource Implications

Financial

- 2.1 There are no financial implications arising from the recommendations of this report.

Workforce

- 2.2 None

Asset Management (land, property, IT)

- 2.3 None

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The supplementary guidance referred to in the Committee Report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and where necessary, assessments have been undertaken.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The supplementary guidance referred to in the Committee Report has been considered under the Act and where necessary, Screening Reports and Environmental Reports have been undertaken.

Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
 - in the way best calculated to deliver any statutory adaptation programmes; and
 - in a way that it considers most sustainable.

- 3.6 The proposals have been considered under the provisions of the Acts using the Integrated Appraisal Toolkit.
- 3.7 The supplementary guidance referred to in the Committee Report has been or will be considered under the Acts where necessary. It supports the policy framework set out in the Local Development Plan, which seeks to achieve sustainable development and reduce the impact of climate change through its vision, strategies, policies and proposals, and will therefore contribute to the delivery of a more sustainable Perth and Kinross.

Legal and Governance

- 3.8 None

Risk

- 3.9 There are no specific risks associated with the proposals outlined within the Committee Report.

4. Consultation

Internal

- 4.1 Officers in Community Greenspace and Flooding have been consulted in the preparation of this report.

External

- 4.2 None.

5. Communication

- 5.1 None.

2. BACKGROUND PAPERS

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- Perth and Kinross Local Development Plan 2 (Adopted November 2019);

3. APPENDICES

- Appendix 1 – Comments received on the supplementary guidance
- Appendix 2 – Revised Open Space Provision for New Developments Supplementary Guidance
- Appendix 3 – Revised Flood Risk and Flood Risk Assessments Supplementary Guidance
- Appendix 4 – Revised Maintenance Options for Public Open Spaces in New Residential Developments Policy 2020

**Comments on Draft Open Space Provision for New
Developments Supplementary Guidance & Maintenance
Policy
January 2019**

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
1. General			
1.1. Generally welcomes the guidance.	Bridgend, Gannochy & Kinnoull CC; Stewart Milne Homes	The supporting comments are noted.	No change proposed by the Council.
1.2. Well illustrated guidance, helpful to have standards in writing.	Placemaking Workshop*	The supporting comments are noted.	No change proposed by the Council.
1.3. Happy with the contents that relates to the historic environment.	HES	The supporting comments are noted.	No change proposed by the Council.
1.4. Welcomes the preparation of a consolidated SG that sets out the requirement for the design and delivery of open space within and associated with new developments.	Strutt & Parker	The supporting comments are noted.	No change proposed by the Council.

*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
1.5. Helpful and practical guidance. It is unfortunate that there is no comparable Guidance for Policy 14a - open space within "Existing Areas".	Portmoak CC	Policy 14 and the spatial designation within LDP2 protect existing open space areas and limit development which can take place on them. As for maintenance, the Council has management plans in place for open spaces under their ownership. Moving forward, the Planning (Scotland) Act 2019 requires all planning authorities to prepare an Open Space Strategy which will provide an opportunity to create a holistic framework for the management of open space areas within Perth and Kinross.	No change proposed by the Council.

*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
1.6. There is an insufficient emphasis on natural/semi-natural open spaces in the guidance.	NatureScot (previously SNH)	New residential developments are not normally required to create new open spaces which fall under the natural / semi-natural category, unless the site presents a specific opportunity to do so (e.g. opportunity to expand woodland on site) or it is to compensate for a loss of existing habitats. There is an emphasis throughout the guidance on taking a natural approach to the design of public open spaces and policies within LDP2 ensure that existing natural / semi-natural areas are incorporated in the design of development. It is however appreciated that the guidance could provide more clarity on this matter.	<p>The natural / semi-natural category has been added to the table under section 3 (page 7) and the description in section 2 has been expanded (page 5) with the following:</p> <p>“The creation of new natural / semi-natural open spaces may be required where the site presents a specific opportunity to do so (e.g. opportunity to expand woodland on site) or it is to compensate for a loss of existing habitats. “</p> <p>Natural/semi-natural open spaces have also been added to the table under section 5 (page 16) which includes key design considerations and positive & negative examples.</p>

*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

<p>1.7. The SG should be informed by an audit of open space to set appropriate standards for quantity, quality and accessibility of open space, and to identify where these standards are being met and where they are not.</p>	<p>RP Planning Ltd; NatureScot (previously SNH); Placemaking Workshop*</p>	<p>The standards set out in the guidance are based on national guidelines and existing Council standards and can be applied to new development in any context. Developers may undertake an assessment of the existing open space provision of the surrounding area in order to justify their choice of on-site provision or to show that the right type of open space is already available in the vicinity of the development. There are a number of sources such as open source databases, aerial imagery and site visits which can be used to proof check whether the proposal meets the standards outlined in the guidance.</p> <p>The guidance links to audits and strategies which are currently in place for the management of existing public open spaces maintained by the Council (e.g. play areas, sport pitches, Core Paths). These facilities have been audited and can be viewed on the Council's website.</p> <p>In general, the value of an Open Space Audit is acknowledged, the Council is currently investigating the resource implications of taking this work forward.</p>	<p>No change proposed by the Council.</p>
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*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
1.8. The document should reference the Council's Green Infrastructure Guidance as they are closely related.	SEPA; NatureScot (previously SNH)	The guidance emphasises that new open spaces should be designed to link with the existing green networks. It is agreed that explicitly referring to the Green Infrastructure Supplementary Guidance would strengthen the link between the two documents and respective policies.	Links to the Green and Blue Infrastructure Supplementary Guidance have been added to the text.
1.1. Designated Cycle routes are very poorly maintained, they should be more segregated from roads and better signposted.	Member of the Public	The comment is welcome. This guidance specifically focuses on open spaces and green networks. By nature, paths located within open space areas are off-road. In the supplementary guidance, Appendix 1 states that signage should clearly indicate the destination and distance and simple arrow way makers can indicate continuous routes.	No change proposed by the Council.
2. Defining Open Space			

*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
2.1. It is not always clear whether open space always lies within settlement boundaries or if it can be found in the open countryside.	Portmoak Community Council	The guidance as well as Policy 14 applies to all public open space areas. For the purpose of this guidance, there is no differentiation, the requirements apply to developments within and outwith settlement boundaries. When accessibility to open spaces is assessed, any public open space with a clear function should be considered, including those in rural areas or on the edge of settlements.	It is not considered necessary to make any changes to the Guidance. As a result of the Proposed Local Development Plan 2 examination, additional text has been added to Policy 14: Open Space Provision to clarify that the policy also applies outwith settlement boundaries.
2.2. Comments have been made on the definition of amenity open spaces, green corridors and natural/semi-natural areas.	NatureScot (previously SNH)	The Council has reviewed the suggestions by SNH and made amendments to the draft where it was considered to add value to the guidance.	Minor text changes have been made where it was considered to increase the clarity of the guidance.
3. Delivering Public Open Space			
3.1. The 3.5ha /1000 people standard is excessive and should be lowered to 2.4ha / 1000 people which is the national standard.	Stewart Milne Homes; Homes for Scotland; Pilkington Trust	2.4 ha is not a statutory national standard, only a recommendation made in the Fields in Trust Guidance. The following pointers helped identifying the minimum quantity requirement for Perth and Kinross:	The quantity standards in the guidance should remain as proposed. The paragraphs following this table provide further background information on how the Council identified the quantity benchmark.

*The Council held a Placemaking Workshop in February 2019 and invited comments on the draft from members of the development industry
SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance	
Relevant section of Guidance				
3.2. The guidance should be explained how the minimum quantity standard was calculated and what types of spaces can contribute to meeting the target (e.g. small areas of open space, purely functional SUDS).	RP Planning Ltd; A&J Stephen; Placemaking Workshop*	<ul style="list-style-type: none">Standards of nearby local authoritiesExisting open space provision within larger (tiered) settlementsTesting the application of the standard on housing allocations <p>Generally, the open spaces described in section 2 of the guidance would count towards the minimum requirement. It is however appreciated that the users of the guidance would benefit from a clearer description.</p>	The text below has been added to section 3 (page 6) in order to clarify what counts towards the minimum standards.	
			What counts towards the minimum requirement?	What does not count towards the minimum requirement?
			Any open space with a clearly defined function which is accessible and can be used for outdoor recreation by members of the public. This also includes the following types of spaces: <ul style="list-style-type: none">High quality SUDS features which are integrated with the wider public open space provisionLarger areas of buffer / screen / street planting where these are integrated with paths and cycleways.	<ul style="list-style-type: none">isolated, grassed areas which have no clear public open space functionisolated SUDS features which are not integrated with the wider public open space provisionsmall areas of street plantingservice strips - unless incorporated with public open spaces

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SG = Supplementary Guidance; LDP2 = Local Development Plan 2; POS = Public Open Space

Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
3.3. In developments where garden grounds are of a generous size, the provision for public open space could be reduced.	Placemaking Workshop*	As stated in Section 3 (page 6), the minimum standard for public open space and private gardens are two separate requirements. Public open spaces serve the wider community and provide a space for social interaction and outdoor activities. They cannot be replaced by private gardens which are for the private use and amenity of the owner.	No change proposed by the Council.
3.4. General agreement on the approach that new provision should reflect the context, requirements depend on what is currently available in the area and proportionate to the scale of development.	Placemaking Workshop*	The feedback is noted; it reflects the approach taken by the Council.	No change proposed by the Council.
3.5. The matrix on page 6 should be amended to clarify which row a development of 10 houses fall into.	RP Planning Ltd	The feedback is noted and the drafting error will be corrected in the adopted document.	The matrix has been amended.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
3.6. The SG claims the thresholds for accessibility are based on the 'Fields in Trust Standards'. On this basis, 'sports areas' should be used in the table in place of 'playing field', and 'amenity green space' in place of 'path/green corridor'.	RP Planning Ltd	<p>The Fields in Trust Guidance indicates 1200m for playing pitches as well as all other sport areas. The Council does not consider it necessary to set a distance threshold for all types of sport facilities as many (e.g. bowling greens, tennis courts) are demand driven.</p> <p>Amenity spaces can have various different sizes and functions therefor setting a distance standard was not considered appropriate. Instead, the guidance sets a standard for green corridors & path in order to improve access to facilities and expand the green network of settlements. This is indeed a different approach however the Fields in Trust Guidance is only advisory; not a statutory document.</p>	The reference has been amended in the guidance to state that thresholds are <u>largely</u> based on the Field in Trust Standards for Scotland.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
3.7. Accessibility standards and excessive and should be removed or distances should be increased to provide more flexibility. The tight distance threshold for play areas combined with the increased commuted sums may impact the viability of proposals.	Stewart Milne Homes	<p>Accessibility thresholds provide a means of determining the type of open space required in new developments based on the existing context and ensuring that communities have easy access to a range of outdoor activities. Play area requirements depend on nearest existing facility and the same distance thresholds have been used for some time by the Council.</p> <p>Where smaller developments require a NEAP/REAP which will largely to serve the existing population, the Council may contribute to its delivery. Where there are several developments within the same area, commuted sums could also be shared between the respective developers.</p> <p>Where the guidance indicates that a new play area or contributions may be required, this should be factored into land value calculations.</p>	<p>The following text has been added to Section 3 (page 9) of the guidance:</p> <p>“Where smaller developments require a NEAP/REAP which will largely serve the existing population, the Council may contribute to its delivery. In areas where several schemes are being delivered at the same time, a new play facility may be delivered through shared off-site contributions and commuted sums between developers.”</p>

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
3.8. Asking to use 60% of the threshold if calculating buffer distance is somewhat arbitrary. The focus should be on achieving good Placemaking.	RP Planning Ltd	The use of buffer distances ensures that major obstacles are not disregarded when calculating access to existing facilities. By calculating actual walking distance, the use of buffers can be avoided.	No change proposed by the Council.
3.9. Page 9 (Diagram) – A hybrid solution should also be represented where a developer might contribute to existing off-site provision and also make appropriate on-site provision and maintenance arrangements with the Council.	RP Planning Ltd	Agree with the representation, the Council would promote this approach where it delivers the best outcome.	The chart under Section 3 (page 10) has been amended to reflect the possibility of a hybrid approach.
3.10. SNH made some supporting comments and recommended minor amendments to the text. SNH also highlighted the need to identify open space requirements for site allocations at the LDP stage.	NatureScot (previously SNH)	<p>The supporting comments and the point raised regarding the Local Development Plan are acknowledged and welcome.</p> <p>The recommended text changes have been made where they were considered to add value to the guidance.</p>	The natural / semi-natural category has been added to the table under section 3 (page 7) as explained above under point 1.6.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
4. Design Standards			
4.1. The guidance makes reference to masterplans and design statements. It should be explicit when these are required.	Stewart Milne Homes	Policy 2 in the Proposed Local Development Plan states that design statements are required for residential developments of 5 dwellings or more as well as developments in sensitive areas. The plan normally calls for a masterplan for larger sites however they can be prepared for almost any development. Therefore, a design statement / masterplan will normally be required for proposals which include areas of public open space. It is not considered necessary to reiterate the requirements of the Local Development Plan in the guidance.	No change proposed by the Council.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
4.2. The guidance should refer to the minimum standard required for successful construction of pitches - the Performance Quality Standard (PQS). The PQS is the recognised basic technical standard for a natural grass pitch and ensures that any funding produces pitches of sufficient quality for community and competitive use.	Bridgend, Gannochy & Kinnoull Community Council	The Council has reviewed the PQS and is confident in adopting them as the minimum requirement for new pitches within new developments in order to avoid inconsistency in quality.	A reference and link to the standards has been included in Appendix 1 of the supplementary guidance.
4.3. SEPA supports the guidance promoting connectivity with existing networks and the multifunctional use of open space. This includes incorporating SUDS into areas where they can form part of a green network for biodiversity and enhance the place.	SEPA	The supporting comments are noted.	No change proposed by the Council.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
4.4. Welcomes the emphasis on open space as a key, integrated part of site layout and design, but recommends strengthening consideration of green network links and destinations beyond the site.	NatureScot (previously SNH)	The need to consider the wider green infrastructure in the design of development is the first point made in both the design standards and application sections of the guidance. The added references to the Green Infrastructure Supplementary Guidance further strengthens this point. The two guidance documents together provide a two-tiered approach to designing a well-connected, functional open spaces network.	No change proposed by the Council.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
<p>4.5. For clarity SNH suggests grouping the main SUDS guidance in the Flood risk Supplementary guidance and cross-referencing to this. There should be a stronger emphasis on a requirement for SUDS to achieve multi-functional solutions which make a meaningful contribution to green infrastructure. SNH also suggests modifying the illustrative drawing.</p>	<p>NatureScot (previously SNH)</p>	<p>Grouping advice on SuDS features in the open space guidance helps demonstrate that these are key elements of the green and blue network, not only a technical solution to treating excess water. The Council's Flood Risk Guidance also reinforces this message and refers to the Open Space SG.</p> <p>The suggested updates to the positive SuDS example illustration are welcome. The additional detail emphasises the connectivity between SuDS features and the existing green and blue infrastructure.</p>	<p>The draft Flood Risk Guidance has been amended to reflect the ambition of the Open Space Guidance of creating multi-functional SuDS features which are integrated with the wider green and blue infrastructure.</p> <p>The illustration under Section 4 (page 13) has been modified in line with SNH's suggestions.</p> <p>Detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Supplementary Guidance.</p>

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
<p>4.6 Many of the considerations are only provided for one open space 'type' but are applicable to most types of open space. For example the use of native species, seasonal interest or facilitate active travel. Recommend amend this section to reflect this.</p>	<p>NatureScot (previously SNH)</p>	<p>The comment is welcome, the table on pages 14-16 has been revised and generic comments have been moved to Appendix 1 instead.</p>	<p>The design considerations and the Landscaping appendix were revised to avoid repetition and improve the document structure.</p> <p>The species list (pages 24 – 30) was also revised in order to further encourage the use of suitable native species.</p>
<p>4.7 There are barriers to achieving the Council's objective of well-integrated, biodiverse SUDS:</p> <ul style="list-style-type: none"> -location has to be determined by topography -Strict Scottish Water requirements regarding access influences the design -fencing may be requested by Scottish Water and occasionally requested by residents 	<p>Placemaking Workshops*</p>	<p>It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.</p>	<p>The text under section 4 (page 12) and Appendix 2 of the Supplementary Guidance has been updated to reflect the result of the stakeholder workshop.</p>

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
4.8 Service strips – the only two options are short grass or nothing, service strips cannot be landscaped because of ongoing maintenance. This makes it difficult to integrate them with public open space.	Placemaking Workshops*	The point raised by participants is acknowledged, it can be challenging to incorporate service strips into public open space areas. Similarly to small areas of amenity planting, service strips serve a different purpose and while not normally regarded public open space, they are a necessary part of developments.	The table under section 3 (page 6) clarifies that service strips only count towards the minimum quantity requirements where they are integrated with public open space areas.
4.9 Developers require consistency of policy from the Council regarding the placement of hedges and/instead of fencing.	Placemaking Workshops*	The guidance is not prescriptive about boundary treatments as the appropriate solution depends on the context (location, type of development, type of frontage). Boundary planting is encouraged where it improves the visual appearance of the site (e.g. by defining the edges) and/or provides biodiversity benefits. What the guidance does state however is that hedges adjacent to properties should be incorporated into private garden grounds and will not be adopted by the Council.	No change proposed by the Council.

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
<p>4.10 SHN suggested changes to the wording of this section as well as some additional points to be included in the table. It has been highlighted that some criteria listed in the table are applicable more generally, to a number of open spaces.</p>	<p>NatureScot (previously SNH)</p>	<p>The Council has reviewed the suggestions by SNH and made amendments to the draft where it was considered to add value to the guidance.</p>	<p>Changes have been made to the text dealing with biodiversity and SuDS (page 12) and to the table below (page 14-16). The table has been revised and the criteria that apply generally to open spaces were moved to Appendix 1 of the guidance. The natural/ semi-natural category was added to the table with specifications and a positive and negative example.</p> <p>As stated above (comment 4.5), the positive example illustration has been updated in line with SNH's suggestions and cross references have been added to the Flood Risk Supplementary Guidance and the Open Space guide.</p>
5 Developer Contributions & Maintenance			

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
<p>5.1 Developers should be able to choose from a range of options for the adoption of public open spaces, including ones that do not include Council adoption. There is no legal or policy basis for requiring the adoption of public open space by the Council.</p> <p>It should be further explained what are 'Priority Public Open Space', and who decided which of the two maintenance options are suitable in different scenarios.</p>	A&J Stephen Homes for Scotland	<p>The Maintenance Policy is unique to Perth and Kinross Council and as a statutory document, will provide the policy basis for requiring the full or partial Council adoption of new public open spaces. The policy highlights the benefits of Council adoption and the reasons why this approach is promoted.</p> <p>The draft policy only requires the Council adoption of Priority Public Open Spaces; other landscaped areas can be factored via a Development Management Scheme. Priority Public Open Space is defined in the draft document as equipped play areas, sports pitches and large parks (p 17 & 19). To provide further clarification, the definition of large parks has been added to the guidance and it has also been clarified that green corridor path links which are of importance to the wider community may be considered PPOS.</p>	<p>The following clarification has been added to the text:</p> <p>"Large parks will usually incorporate play and/or pitch facilities, further POS areas within the same development if over 1ha and suitable for informal play or ball 'kickabouts' will usually also be considered as large parks. Where play and pitch facilities are not required within a development the same criteria apply. In small settlements areas of public open space smaller than 1ha may be significant and the largest of these will be considered large parks."</p> <p>It was also clarified both in the Open Space Guidance and Maintenance Policy that Priority POS (PPOS) includes equipped play areas, large parks, sports pitches and possibly green corridor path links which are of importance to the wider community, not just the residents on the development.</p>

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<p>5.2 Disagree with extending the time period for charging commuted sums to 20 years. Also disagree with charging developers for the first replacement of play areas which is due after 15 years. In light of the increased contributions and the assumption that public open spaces are for everybody, it would not be appropriate that the long-term maintenance funding and equipment replacement should be solely funded by those who are developing the sites.</p> <p>Applicants would already be providing the land and the cost of installing equipment where necessary and council tax would also be being levied on the new homes which would contribute to the Council’s budget.</p>	<p>A&J Stephen, Pilkington Trust; Placemaking Workshop* Homes for Scotland</p>	<p>The 20 years period is in keeping with other Local Authorities` timeframes which vary from 10 to 40 years. The 10-year period which the Council has been working with so far did not prove to be sustainable and needed revision. It could also be argued that 20 years does not constitute as `long-term` considering that the Council takes on maintenance in perpetuity.</p> <p>The point regarding play area replacement costs is noted. The reason for requiring these to be paid by the developer is that the first replacement of play equipment would fall into the 20-year maintenance period. It is however acknowledged that the developer should not be entirely responsible for the replacement of the play equipment. Play area replacement costs could be shared with the Council and the developers` contribution could be reduced to 1/3 of the total replacement costs, equal to a 5 rather than the full 15-year period. This would ensure that the developer`s responsibility does not extend beyond the 20-year maintenance period. *</p> <p>*15 years (lifespan of new facility) + 5 years (1/3rd of replacement facility) = 20 years</p>	<p>Play area commuted sums have been amended in the Policy and the Supplementary Guidance as follows:</p> <p>LEAP: £63,000 (was £96K in consultation draft) NEAP/REAP: £79,000 (was £126K in consultation draft)</p> <table><tr><th>Type</th><th>Sums *</th><th>Calculation</th></tr><tr><td>LEAP</td><td>£63,000</td><td>£2,300 x 20 = £46,000 for maintenance plus £17,000 for replacement (5 years is a 1/3 of 15 years so 1/3 of £50,000 = £16,667 rounded up to £17,000).</td></tr><tr><td>NEAP/ REAP</td><td>£79,000</td><td>£2,800 x 20 = £56,000 for maintenance plus £23,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £70,000 is £23,334 rounded down to £23,000)</td></tr></table> <p>*The above rates were applied at the time of the consultation in 2019</p>	Type	Sums *	Calculation	LEAP	£63,000	£2,300 x 20 = £46,000 for maintenance plus £17,000 for replacement (5 years is a 1/3 of 15 years so 1/3 of £50,000 = £16,667 rounded up to £17,000).	NEAP/ REAP	£79,000	£2,800 x 20 = £56,000 for maintenance plus £23,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £70,000 is £23,334 rounded down to £23,000)
Type	Sums *	Calculation										
LEAP	£63,000	£2,300 x 20 = £46,000 for maintenance plus £17,000 for replacement (5 years is a 1/3 of 15 years so 1/3 of £50,000 = £16,667 rounded up to £17,000).										
NEAP/ REAP	£79,000	£2,800 x 20 = £56,000 for maintenance plus £23,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £70,000 is £23,334 rounded down to £23,000)										

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Comment Summary	Received from	PKC Officer response	Change to be made to Guidance
Relevant section of Guidance			
<p>5.3 The calculations are not evidenced properly in the Policy or the guidance and there is no reference to them in the Local Development Plan either.</p> <p>They question whether the proposed approach is reasonable or proportionate having regard to the tests in Circular 3/2012. We consider that there is a lack of information to explain and justify the changes to the financial obligations sought.</p>	<p>A&J Stephen, Homes for Scotland</p>	<p>The general maintenance costs were calculated per house for the currently adopted Maintenance Policy and have been uplifted in line with inflation, providing a valid basis for commuted sums.</p> <p>The cost of public open space maintenance for existing houses in PKC is £49 /house/ year. In comparison, £770 flat rate commuted sums per house for 20 years is equivalent to £38.50 per house / year. This demonstrated that the required commuted sums are proportionate, even less than the actual cost of maintenance per house.</p> <p>In response to the reference to Circular 3/2012, the maintenance charge is not a planning obligation. Instead, it is based on Council policy.</p>	<p>Additional background information has been added to the Maintenance Policy draft to further evidence the new requirements:</p> <p>“The CS of £770* per dwelling is applied for a 20-year period by doubling the previous (current 2001 policy) CS of £385 per dwelling calculated for a 10 year period. The CS in the 2001 policy was calculated by averaging the maintenance cost per house across a range of developments to provide a ‘flat rate’ which has been uplifted in line with inflation since. The use of a flat rate CS in the 2001 policy is continued on the basis that clarity on costs at an early stage in the development process is an advantage to developers and increases efficiency for all concerned.</p> <p>The £770 CS equates to £38.50 per house (770/20) which compares favourably to the estimated maintenance cost of £49 per house for existing houses throughout Perth and Kinross (Council annual maintenance budget/ number of houses in 2019). “</p> <p>*The above rates were applied at the time of the consultation in 2019</p>

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<p>5.4 The SG should state that the planning authority will only promote planning obligations in compliance with the tests set out in Circular 3/2012. It should also state that consideration will be given to the economic viability of proposals and that alternative solutions will be considered alongside options of phasing or staging of payments.</p>	<p>RP Planning Ltd</p>	<p>The planning obligations covered in this guidance are the provision of new facilities and financial contributions to improve existing provision.</p> <p>Reference is made to Circular 3/2012 in TAYplan Policy 6. As the Local Development Plan must accord with TAYplan and in turn the Supplementary Guidance accord with the Local Development Plan, there is no need to include reference to Circular 3/2012 in this Supplementary Guidance.</p> <p>The impact of the guidance on the economic viability of proposals has been considered throughout its development. For instance, it is acknowledged that the requirements would be more onerous for smaller developments in areas which are outwith the catchment of existing facilities. As stated above in section 3.7, alternative arrangements could be considered where small proposals would be required to provide new play provision. Regardless of this, all proposals will be required to demonstrate that they achieve the requirements of the guidance.</p> <p>Where a Planning Obligation is entered into, applicants have the option to phase</p>	<p>The following text has been added to Section 3 (page 9) of the guidance:</p> <p>“Where smaller developments require a NEAP/REAP which will largely serve the existing population, the Council may contribute to its delivery. In areas where several schemes are being delivered at the same time, a new play facility may be delivered through shared off-site contributions and commuted sums between developers.”</p> <p>On page 17, a reference has been added to the Council’s Developer Contributions SG which includes detailed advice on Planning Obligations and the phasing of payments.</p>
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**Comments on
draft Flood Risk supplementary guidance
January 2019**

Comment	Received from	PKC Officer response	Change to be made to Guidance
General comment			
Historic Environmental Scotland welcomes its preparation and are content with those aspect of the guidance that relate to the historic environment	Historic Environmental Scotland	Noted	None
SEPA consider that in general, the document is comprehensive and well written with inclusion of reference to appropriate guidance.	SEPA	Noted	None
Scottish Land & Estates (SLE) members request a pragmatic approach where design (such as SuDs etc) can significantly mitigate and even contribute to eliminating flood risk in any development. SLE members are of the view that a landscape scale approach should be taken. For example, additional tree planting and a small hydro scheme which can slow run-off rates should be viewed as flood risk mitigation and enable appropriately designed new development within the same water catchment area. SLE seeks a flexible approach working with applicants and enabling Scotland's rural communities to thrive.	Scottish Land & Estates	Whilst a catchment wide approach is always encouraged it is not generally possible in development sites as they are confined to areas within their ownership. However, within their site they are encouraged to provide SUDS that replicate natural habitats and encourage local species etc.	None
Notes importance for planning applications where flooding of the site or flooding caused by the proposed development are potential issues.	Portmoak Community Council	Noted	None
Relevant section/paragraph of Guidance			
1. Introduction			None

Comment	Received from	PKC Officer response	Change to be made to Guidance
No comments received			None
2. Aim			
SEPA suggest amendment to advise, that in advance of an application: relevant guidance listed in section 4 of the guidance, and the current flood map should be reviewed, and that contact made in the first instance with the Council flood staff for local information. The SG could also state that once an applicant has considered their proposal in the context of the relevant guidance and information, SEPA should, when relevant, be contacted for any further information held.	SEPA	Yes, an initial first step for the developer will be added to help guide them to the correct information	Include additional information to make developers aware of the process and steps to be taken.
3. Background to Flooding			
Paragraph 3.3 could be amended to clarify that the planning authority are decision makers for the planning application.	SEPA	This document is aimed at informing developers of the steps to be taken to submit an application. Planning guidance will advise them on the planning process and is not necessary for this document.	None. Not relevant for flooding guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>3.3 SNH suggest an integrated catchment scale approach is emphasised, including the Council's role and leadership. 3.3.3 Planning Authority: SNH emphasise the role of planning in setting ambitious standards to ensure new development is climate change resilient and contributes to flood management on a catchment basis.</p>	<p>NatureScot (previously SNH)</p>	<p>The guidance is mainly aimed towards developers to aid them in preparation of their planning application. Catchment based flood risk management is encouraged but is not likely to be possible in these circumstances. New development will be resilient to climate change - no development will be permitted within the functional floodplain and development will be located above the 0.5% annual probability (200 year) flood event, plus an allowance for climate change (using the most up to date science) plus an additional freeboard allowance.</p>	<p>Reference to integrated catchment wide flood risk management to be added to Section 3.2.1.1 and 3.6. 'Climate Change' added to Section 3.3.3.</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>In 3.6.4 SNH welcome this section on climate change which should be an underlying theme of the guidance. SNH note the statement that: “developers must aim to reduce and account for the effects of climate change.” While developers have a part to play, SNH suggest the guidance should better recognise the local authority’s key role in leading and enabling integrated and ambitious flood prevention and climate change vision and measures. This section could also make clear the benefits of more sustainable approaches to flood management (such as sustainable drainage techniques and natural flood management) and the benefits that this would have in the context of climate change resilience, including humidity and temperature regulation, water retention and flood prevention.</p> <p>SNH encourage the guidance to set out the Council’s role in leading an integrated catchment scale approach and set targets to ensure new development is climate change resilient.</p>	NatureScot (previously SNH)	The guidance is mainly aimed towards developers to aid them in preparation of their planning application. However, the document will be reviewed to try and add additional information on the Council’s responsibilities etc	Add comment on Council’s commitment to tackle climate change. Added reference to SUDS and natural flood management.
4. Design Guidance			
SEPA suggest updating 4.2 as Planning Advice Note 69 has now been superseded by the online planning advice on flood risk.	SEPA	Agreed	Remove reference to PAN 69 and replace with reference to “Online Planning Advice on Flood Risk.”

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>SNH suggest references should include:</p> <p>SEPA's natural flood management handbook; https://www.sepa.org.uk/media/163560/sepanatural-flood-management-handbook1.pdf</p> <p>Dynamic coast – Scotland's Coastal Change Assessment http://www.dynamiccoast.com/</p> <p>Scottish Governments Green Infrastructure document https://www.gov.scot/publications/green-infrastructure-design-placemaking/ which includes a relevant section about the role of flood prevention and drainage in bluegreen infrastructure that this document could further draw on.</p> <p>the Council's other supplementary guidance (e.g. placemaking) highlighting the cross-over with SUDS.</p>	NatureScot (previously SNH)	Agreed.	Add references including the Council's supplementary guidance
5. Drainage Impact Assessment			

Comment	Received from	PKC Officer response	Change to be made to Guidance
SEPA suggest amendment to 5.3.2 – Reference to SEPA in point 8 needs to be removed as it is inaccurate. The quantitative aspects of SUDS are for LA flood prevention staff to consider if discharge is to be made to a watercourse and for Scottish Water if the discharge is to be made to the public sewer. SEPA's role with regards SUDS relates to qualitative aspects and compliance of an applicant with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).	SEPA	agreed.	Amend point 8 to state that where applicable (on large developments) the developer should liaise with SEPA to obtain a CAR License for a discharge consent for surface water discharge to a burn.
6. Flood Risk Assessment			
6.2.2 SEPA supports statement to allow for revision to the climate change requirements following updated guidance. SEPA are due to publish guidance by the end of March, which will include separate flow, rainfall and sea level climate change uplift figures. The flow figures are based on UKCP09 values as further work is required to determine the values based on UKCP18 data and this will be provided in due course. The current recommendations for the Tay Catchment are: 35% flow uplift; 45% rainfall uplift and 0.67m sea level uplift. SEPA advise that the rainfall uplift may be more appropriate for estimating design flows on small catchments than the flow uplift values.	SEPA	The guidance will adopt the 35% flow uplift, 35% rainfall uplift and 0.85m tidal allowance as set out in SEPA's guidance 'Climate change allowances for flood risk assessment in land use planning' which was published on 26/4/19 with a caveat for developments behind FPS at 6.2.11.	Incorporate correct values from published guidance and not those from comment.
6.2.3 – Reference is made here to Freeboard allowance with set heights above FFL/garden levels. Para 8.5 recognises that there may need to be some flexibility in instances where small bridges pass over small watercourses. Para 6.2.3 should make reference to some potential exceptions/flexibility to make this point more explicit.	Network Rail	Noted	Add footnote with reference to bridge soffit level freeboard allowance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
6.2.4 – SPP states that the 1 in 1000-year flood extent is generally unsuitable for civil infrastructure and indicates that further consideration of flood risk at this return period is required for essential infrastructure and most vulnerable land uses. Further details of these types of development can be found in SEPA’s Land Use Vulnerability Guidance	SEPA	Noted	Add footnote to make reference to SEPA’s Land Use Vulnerability Guidance.
6.2.4 – Critical infrastructure – reference is made to ‘critical infrastructure’ (back to SPP). However no reference is made to ‘critical infrastructure’ in SPP, but instead this refers to ‘essential’ infrastructure. It is suggested that this terminology be re-considered/clarified.	Network Rail	Noted	Amend references to ‘critical infrastructure’ to ‘essential infrastructure’.
<p>The John Muir Trust (JMT) seek explicit reference to nature-based solutions to help manage run-off and flood risk, especially given the potential for increased flooding due to climate change. Wider, landscape-scale management of land, including the protection and restoration of wild land is important in this context (Perth & Kinross has a significant amount of wild land). Drainage or felling operations that could exacerbate flood conditions downstream should be avoided, whilst sensitive planting of trees would enhance biodiversity at the same time as helping to mitigate flooding.</p> <p>JMT welcome the inclusion in section 6.1 of the intention to prevent <i>“development which would increase the probability of flooding”</i> and <i>“piecemeal reduction of the functional floodplain shall also be avoided given the cumulative effects of reducing storage capacity.”</i></p> <p>and reference to nature-based solutions would be welcomed.</p>	John Muir Trust	A good deal of the design guidance in Section 4 refers to nature-based solutions. The guidance note also refers to the latest SUDS guidance to encourage the use of the latest advancements. The developers are limited to the use of land within their ownership and catchment wide solutions are generally not relevant but would be encouraged where and if possible.	Additional reference to be made to catchment wide approach in 3.2.1.1.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>SNH recommend the guidance includes natural flood management, coastal flooding and managed realignment, and the role of blue/green infrastructure in respect of flooding and drainage (referring to Scottish Planning Policy paras 255 and 262: LDPS should protect land with the potential to contribute to managing flood risk such as through natural flood management, managed coastal realignment, washland or green infrastructure creation).</p>	<p>NatureScot (previously SNH)</p>	<p>These areas are encouraged in the guidance but it is mainly aimed at developers that are confined to provide SUDS within the extent of their site. Catchment wide solutions are usually not possible.</p>	<p>Natural flood management to be noted at 3.6.4; reference to Natural Flood Management Handbook to be included at 4.3 (also covers coastal flooding and managed realignment). Reference to the Scottish Government's Green Infrastructure document to be added to 4.2; reference to the Council's Supplementary Guidance on Green & Blue Infrastructures to be added to 4.8.</p>
<p>7. Surface Water Drainage Design</p>			

<p>SuDS are included in both the Placemaking and Open space supplementary guidance. SNH recommend grouping detailed guidance for SuDS in this Flood risk Supplementary guidance and cross referencing. SNH suggest inclusion of the SuDS good practice illustration they inserted in their response to the Open Space guidance.</p> <p>SNH seek a change of emphasis from engineering to an integrated approach to SuDS in achieving multi-functional landscapes. An engineering focus can result in unattractive fenced SuDS with insufficient consideration of the open space design. These struggle to deliver multiple benefits for biodiversity and amenity that they potentially could even result in negative impacts on amenity, such as new housing developments along Glasgow Road.</p> <p>SNH therefore recommend the addition of: “7.1.2. SuDS are a soft-engineering solution that manages rainwater and potential flooding within the landscaping and greenspaces of a development, contrary to traditional hard engineering approaches. It aims to create multi-functional landscapes that deliver multiple benefits for water management, amenity and biodiversity. The Council is committed to this approach and to maximising the multiple benefits of SuDS.</p> <p>SuDS should:</p> <ul style="list-style-type: none"> • Be considered from the outset of the design/masterplanning stage • Be conceived as an integral part and an attractive contribution of a development’s greenspaces and blue-green infrastructure • Be designed to be multi-functional by a multi-disciplinary team composed of appropriate professionals (landscape architect or similar) • Achieve multiple benefits including amenity and biodiversity” 	<p>NatureScot (previously SNH)</p>	<p>A good deal of the design guidance in Section 4 refers to nature-based solutions. However it is agreed that the Flood Risk Supplementary Guidance needs to be stronger in referring to amenity and biodiversity considerations. These 7.1.2 SNH amendments are therefore supported along with a cross reference to the Open Space Guidance where we have to provided the main SuDS design guidance.</p>	<p>Include SNH recommendation at section 7.1.2, and the SNH amended illustration, whilst a cross reference to and more detailed design SuDs guidance has been grouped in Appendix 2 of the Open Space Supplementary Guidance.</p>
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Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.1: SNH suggest adding that SuDS design should be done by a multi-disciplinary team including a hydraulic specialist, ecologist and landscape professional and should be in accordance with the latest Ciria SuDS manual. Maintenance responsibilities and regimes should be known at the outset and designed into the proposal. For example if the maintenance for the 1:30 area is a different party than the 1:200 good design can ensure separate maintenance regimes for one continuous green space.</p>	<p>NatureScot (previously SNH)</p>	<p>Yes, a multi-disciplinary design team is to be encouraged. The Council has signed up to the principles of Section 7 of the Sewerage (Scotland) Act. These are intended to improve the maintenance/adoption arrangements for SUDS.</p>	<p>Add reference to multi-disciplinary team for the design of SUDS and reference to Section 7 principles.</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Ownership and maintenance of SuDS are often not well resolved. The Council could outline the main options for ownership and maintenance of SuDS, and preferred arrangements e.g. ownership and maintenance by private factor, adoption of SuDS by Scottish Water.</p> <p>If the Council intends a Section 7 arrangement where the Council takes on the above ground maintenance this guidance should set out the maintenance criteria for its SuDS design. These should ideally be in accordance with its vision for amenity and biodiversity (Edinburgh Council clarified that they do not mow embankments and favour sedges that are robust enough to withstand the occasional desilting). SNH agree Ciria SuDS Manual is the principle reference document; however it is a large and a very technical document, and leaves significant design freedom. SNH recommend this PKC guidance sets out some fundamental priorities to consider when designing SuDS such as: SuDS to be considered from the outset, shallow embankment, biodiversity friendly planting, attractive permanent water or attractive accessible space (no empty grass-pits) positive contribution to amenity spaces, integral to green infrastructure of a site, avoidance of fencing, designed with maintenance in mind.</p>	NatureScot (previously SNH)	Yes, agreed. The existing guidance required developers to set out their proposals for adoption and maintenance of SUDS. The guidance will be strengthened, making reference to the adopted principles of Section 7 of the Sewerage (Scotland) Act.	Add further information on proposed Section 7 arrangements at 7.3.8. Add text at 7.3.1 regarding multidisciplinary teams and make reference to the Council's Supplementary Guidance on Open Space where detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.1. Amend to “Where SuDS are being designed on the basis that they are to be vested by Scottish Water, the developer shall ensure that the design has been agreed with Scottish Water – the latest Ciria SuDS Manual and Sewers for Scotland 4 (SfS4) are the current guides for this but SfS4 is under frequent revision and standards which contradict design ambitions can be subject to a waiver with Scottish Waters agreement.”</p> <p>Add “To ensure the SuDS proposal has been designed to deliver multiple benefits it is important that this is checked with the planner/landscape and green space expertise, and for Section 7 the council’s maintenance department prior to the developer seeking scheme approval by Scottish Water or self-certified by other engineers.” Technical enquiries for waiver should be referred to Scottish Water Technical Standards Team, Buchanan Gate Business Park, Cumbernauld Road, Stepps, G33 6FB. Email – standardsinfo@scottishwater.co.uk</p>	NatureScot (previously SNH)	The requirement for 3rd party design checks is aimed at complex engineering works that require complex structural engineering calculations. It does not apply to alternative layouts of SuDS ponds that do not require specialist complex engineering calculations.	Add further information on proposed Section 7 arrangements at 7.3.8 and make reference to the Council’s Supplementary Guidance on Open Space. Appendix 2 of the Open Space Supplementary Guidance includes a reference to the waiver process.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.2 Embankment Gradients: Amend to “SuDS embankment gradients shall be a maximum of 1:6 in residential (and ideally also in other areas) to avoid a need for safety fencing, ensure the amenity of the SuDS and enable the creation of biodiversity friendly habitats. 1:4 slopes in residential areas will only be accepted in exceptional circumstances. SuDS which require fencing due to steep slopes represent a poor design solution.</p> <p>If the SUDS is a detention basin that does not hold any permanent water, especially detention for rarer events it should be either designed as an accessible greenspace with accessible slopes or a planted amenity and biodiversity feature.”</p> <p>Due to Scottish Water’s risk assessment process 1:4 SuDS generally require a safety fence and prominent warning signs, and this often only becomes clear post-planning when signs are implemented under permitted development. Generally SuDS with 1:4 side-slopes do not result in a successful design which delivers multiple benefits and often they even result in adverse impacts on their surroundings. Steep, deep and very large detention basins are sought as the most cost-effective solution for developers, but they are highly undesirable from an amenity and biodiversity perspective, and the steep slopes make them difficult to manage.</p> <p>By contrast, shallow embankments can be easily planted and maintained, appear more naturalistic and less engineered and provide better wildlife benefits. They can be planted with grass-like sedges that do not require cutting. Embankments of permanent water bodies can be planted with species (to be specified by qualified professional) which create a safety barrier to prevent small children from accessing the water.</p>	NatureScot (previously SNH)	<p>It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.</p> <p>With regard to basins, the encouragement of multi-functional, integrated SuDs is promoted in 7.1.2 and also more extensively in the Open Space Supplementary Guidance.</p>	Suggested that embankment gradients should preferably be 1:6 rather than 1:4 and reference that safety fencing should be avoided where possible is to be added at 7.3.2, whilst further guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance.

Comment	Received from	PKC Officer response	Change to be made to Guidance
7.3.3 Flood Flow Routes Insert at the beginning: “Areas for flood-detention should be designed as accessible multi-functional green spaces. Well-designed multifunctional green spaces should consider how water moves around the site in the case of the various flood events.”	NatureScot (previously SNH)	Agreed	Add first sentence to 7.3.4 (as not relevant to 7.3.3 as this refers to overland flood flow routes and not storage).
<p>7.3.4 Pond Layout & Location insert at beginning: “SuDS holding permanent water such as wetlands and ponds should be a part of any larger SuDS scheme to maximise the benefits for biodiversity and amenity. Embankments should be shallow and planted with preferably native species, but specified by an appropriate professional and suitable within its context. Ponds should be located to form an integral part of the amenity space and a site’s green infrastructure, where they can make a positive contribution to these.”</p> <p>We suggest replacing: “Where possible a SuDS pond should be located adjacent to non-intensively managed landscapes” with: “Biodiversity-rich native planting around the SuDS and where appropriate within the surrounding greenspaces and the location of the SuDS should both aim for ecological connectivity with surrounding habitats.”</p> <p>P.27 “Fencing of a SuDS pond should only be considered as a last resort or where required by Scottish Water in order to agree vesting of the asset” We suggest fencing is included under 7.3.2 embankment gradients.</p>	NatureScot (previously SNH)	It is acknowledged that designing multifunctional SUDS is challenging. The Council held a multi-stakeholder workshops in June 2019 in order to better understand the issues and explore potential solutions. The information gathered at the workshop was used to improve the open space guidance and prepare a longer-term action plan to encourage continued partnership working in order to facilitate better SuDS design. A follow-up session in December 2019 allowed stakeholders to review these documents and sign up to their delivery.	Detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance. Additional text will be added within the Flood Risk SG at 7.3.2 regarding the embankment gradient and treatments.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.3.5 Surface Water Systems to be Adopted by Scottish Water “Where surface water drainage systems are to be adopted by Scottish Water they must be designed to Sewers for Scotland, 4th Edition.” We suggest adding: “However in certain circumstances Scottish Water can make exemptions to certain standards by agreement. This potential possibility should be considered where it would help enabling a higher quality, more integrated and more ambitious SuDS design or better place making.”</p> <p>In our experience various pieces of SuDS guidance for best practice can be contradictory. We understand ‘Sewers for Scotland’ is to undergo further revision in 2020 – in our view many of the standards are currently not compatible with the maximisation of the benefits of SuDS and their positive integrated green infrastructure. Scottish Water has clarified that certain standards can potentially be waved under certain circumstances.</p>	NatureScot (previously SNH)	Agreed	Add SNH suggestion to 7.3.5.
<p>7.3.7 Trash Screens We suggest adding: “All SuDS inlet headwalls, pipes and trash screens shall be designed and located with consideration so that they can form an acceptable and inconspicuous part of the amenity spaces.”</p>	NatureScot (previously SNH)	Agreed.	Add SNH suggestion but to Section 7.3.4.

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>7.4 Soakaway Design</p> <p>7.4.1 We suggest adding some indication of what is needed to demonstrate conditions are suitable.</p> <p>Swales Add section: “Swales for infiltration and conveyance are one of the key SuDS components and have great potential to contribute to green infrastructure. Although they are not currently part of the SuDS systems that Sewers for Scotland 4 suggests for adoption, they can be discussed with Scottish Water and potentially be subject to a waiver if Scottish Water is in agreement. The possible future adoption of swales is dependent on requests to Scottish Water so wherever swales are desirable this should be discussed with Scottish Water at an early stage.”</p> <p>Add Infiltration and permeable surfaces: suggest adding “In addition to the standard SuDS features we discourage the excessive sealing of surfaces or compaction of ground to promote additional infiltration.</p>	NatureScot (previously SNH)	At present there are some differences between the Council and Scottish Water and this will be considered through future Section 7 agreements.	None. Some detailed guidance on the design of SuDS has been grouped in Appendix 2 of the Open Space Supplementary Guidance
<p>Para 6.2.2: ‘Climate Change’ page 22, refers to 1:200 +20% as being the figure for climate change in accordance with the Climate Change (Scotland) Act 2009. However, para 5.3.2.3 (page 18), para 7.2.1 (page 25) and para 7.4.2 (page 29) all refer to +30%. This is not consistent with para 8.5 (page 35) and we query as to whether this might be an error? Furthermore, within para 8.5, it states that bridge soffits are to be 600mm above 1:200+20%? This doesn’t make sense and again, we suggest could be an error?</p>	A and J Stephens	Noted	All climate change references to be amended to 35% to meet latest SEPA guidance with a caveat for developments behind FPS at 6.2.11

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Para 7.4.2: Refers to soakaway design and states that soakaways should be designed to BRE 365 but accommodate 1:200 + 30%. Does the soakaway have to be large enough to hold all the water from this event from the area being drained? Currently, BRE 365 requires that a soakaway has to hold a 1:10 year storm (inflow minus outflow). The size of soakaways and filter trenches would have to be significantly larger than at present if this is taken literally. It could have a significant affect on house densities if a minimum of two levels of treatment are required for surface water. They challenge this and query the evidence that soakaways are currently failing.</p>	A and J Stephens	Yes, all SuDS should be designed to the same standard as all other surface water infrastructure	Amend climate change value to 35%.
<p>7.6.2 - In Table 3 the growth factor for the 200 year flood should be 2.89 and not 2.82. The other growth factors are correct.</p>	SEPA	Noted, but the growth factor is 2.84.	Amend value to 2.84.
<p>Para 7.6.4: The guidance is ambiguous as there is no definition of 'small sites' and 'steeply sloping sites'. We request that these be clarified through definition.</p>	A and J Stephens	Small sites are as defined in 5.2.2 (1). Steeply sloping sites can vary greatly and for this reason we prefer that the developer consult with the Flooding Team at an early stage to ensure all relevant cases are considered and thoroughly assessed.	Amend 7.6.4 to make reference to definition at 5.2.2(1)

Comment	Received from	PKC Officer response	Change to be made to Guidance
Paras 7.5.4 and 8.6: Both refer to drainage pipes having a minimum flow velocity of 1 m/s. The guidance should state that the pipe conditions should be full. This would be similar to Scottish Water and makes a difference in surface water sewer design. Alternatively the Guidance should be silent on this level of detail as it is covered by other sewer design standards.	A and J Stephens	This was specifically highlighted as there are many occasions where pipes are laid at very shallow gradients resulting in long term maintenance problems due to siltation. A minimum velocity of 1m/s will ensure the pipe is self-cleansing.	None.
8. Frequently Asked Questions			
8.5 – Dependent on the council position it may be appropriate to include the same caveat that climate change allowances may change in the future rather than note the 20% uplift specifically.	SEPA	Noted.	Climate Change value to be updated to reflect latest SEPA guidance. (35%). Add text at 8.5.
9. Certification and Insurance			
In certain circumstances (such as unique designs) the Flooding Team may require a third party Engineer check.” Unique designs are currently the only solution to create quality multifunctional SuDS which deliver multiple benefits – there is a risk that unique designs will be discouraged by any extra cost, therefore third-party-certification could be a way of solving this without penalising good design.	NatureScot (previously SNH)	The requirement for 3 rd party checks is aimed at designs that require complex structural engineering calculations. It does not apply to alternative layouts of SuDS ponds that do not require complex engineering calculations.	Add reference to complex structural engineering calculations.

Comment	Received from	PKC Officer response	Change to be made to Guidance
10. Contact Details			
11. Glossary/Abbreviations			
<p>SEPA suggest the following additions to the Glossary Abbreviations –</p> <ul style="list-style-type: none"> • FEH13: Update to the depth duration frequency figures for rainfall. These figures should be used in calculation of design flows using ReFH2 and the design of SuDS. • FEH Rainfall Runoff Method: A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK. Note that depth duration frequency FEH99 data should be used with this method and not FEH13 data. • ReFH2: The Revitalised Flood Hydrograph model. A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK. • SEPA Flood Map: Description needs to be updated to include surface water flood risk and high medium and low likelihood of flooding. 	SEPA	Agreed	Add SEPA suggestions.
Appendix A: FRA Check Sheet			
Appendix B: Assessment Compliance Certification and Insurance			

Comment	Received from	PKC Officer response	Change to be made to Guidance
Miscellaneous			
Considers that Planning Authority should have different position for development which has been ongoing (such as their development at Hosh Farm Steadings, Crieff, where onerous requirements to supply enhanced FRA make ongoing development unviable) as opposed to new development sites.	Member of the Public	Unfortunately, if a site is at risk of flooding as identified on the SEPA flood maps or historic records, then it is a requirement that a suitable assessment is undertaken. However, the assessment should be appropriate to development being considered and not be overly onerous without justification.	None.
Seeks consistency of approach when within a 1 in 200 year risk area citing recent applications at The Hosh, where some applicants within this area have been required to provide no FRA, some a Level 1 FRA, and others an enhanced FRA. Inconsistency must be eradicated and all applications must be required to provide the same level of FRA.	Member of the Public	The requirement for an FRA should only be considered where appropriate and justifiable. The FRA should be commensurate with the circumstances being considered.	None
Seeks planning officer to consider SEPA and Flood Team advice and site circumstances together before determining developer requirements for planning application.	Member of the Public	Agreed this is the current Local Development Plan process for considering allocations and identifying the site-specific developer requirements.	None

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Scone Community Council supports the amendments to the existing guidance. Considers any application must be presented with full details, sufficient to allow a full and fair assessment to be made. During this consultation period, full details should be made available for public comment, and the details should not be treated behind closed doors by the Planning Authority. An application must be fully considered and checked by competent and independent Council staff prior to any consent being issued.</p>	<p>Scone Community Council</p>	<p>Noted. The Supplementary Guidance has been created so that it is clear to developers what they need to provide in support of a planning application. The Council's staff provide competent and independent advice to Planning with regard to flood risk. Planning application documents are made available and after viewing the planning application, there is opportunity to make a comment or object to it within 21 days of the formal notification date.</p>	<p>None</p>

Comment	Received from	PKC Officer response	Change to be made to Guidance
<p>Concerned that Scottish government guidance, the SEPA comments, the Flooding team's concerns and those of the residents are overridden. For years, Scone has been well documented as a flood risk area, significantly in the High Field. The flooding team placed it as high risk and said it should not be built on, using the 'precautionary principle'. When the H29 application was presented PKC planning agreed that no building could take place until the developer submitted a drainage plan for the whole H29 area. This was agreed in public at a Planning and Development meeting. This requirement has now been removed.</p> <p>SEPA has raised concerns. The Community Council has objected. PKC have been able to flout all flooding requirements.</p>	<p>Member of the Public</p>	<p>A Flood Risk Assessment and Drainage Impact Assessment was submitted to the Council for review and consideration. After lengthy discussions and correspondence, the FRA and DIA was deemed acceptable. This process was similar to other relevant planning applications.</p>	<p>None</p>



Open Space Provision for New Developments

Supplementary Guidance

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1. Introduction

Why do we need this guidance?

This supplementary guidance has been produced to accompany Policy 14: Open Space Retention and Provision within Local Development Plan 2. The Local Development Plan seeks to protect and enhance open space within Perth and Kinross which contributes to making it an attractive place to live, visit and do business.

This guidance should be referred to by anyone intending to submit a planning application. This guidance will provide:

- The standards for open space in new developments
- The types of open space which are required
- Whether the open space provision should be on-site or off-site
- The mechanisms for the maintenance of open space

This guidance will focus on seeking to ensure there is appropriate mitigation for the impact new development has on existing open spaces, and determine whether or not new public open space provision will be required to support the development. Furthermore, the document provides guidance on landscaping and the design of development. It encourages well-connected, high quality open spaces which are designed with long-term maintenance implications in mind.

2. Defining Open Space

Developments are expected to provide a variety of open spaces which contribute to the wider green infrastructure and benefit both people and wildlife.

Public Parks

These are multifunctional areas of open space designed for recreational uses. They form the focal point of communities and provide space for a wide range of leisure use and sporting activities in an attractive landscape setting. The Council have a hierarchy of public open space provision and Regional or Settlement level parks would only be required in significant new developments which create new large neighbourhoods or communities.

Hierarchy	Description	Examples
Regional (includes Premier Parks)	Large sites attracting visitors from beyond the settlement.	MacRosty Park Crieff, Kinnoull Hill & North Inch, Perth
Settlement	Large or high profile sites which are used by people across the whole settlement.	Braidhaugh Park Crieff, Victory Park, Meigle
Neighbourhood	Sites which are important to a larger distinct area of a settlement	Craigie Park, Perth & Green Park, Kinross

Amenity Open Space

These are typically grassed or planted areas which can be used for informal outdoor and social activities, and contact with nature. In some cases they also provide buffer between different land uses for environmental, visual or safety reasons.



Residential amenity space with SUDS basin provides opportunity for informal recreation



Service strips and avenue trees enhance the streetscape and divide the road from the pavement



Buffer planting between houses and a busy road reduces noise and visual impact

Amenity greenspaces need to be well designed to respond to the site context including topography, natural features and access, complimenting private garden grounds. They should be of a size and scale that is appropriate for the function and not an ongoing maintenance liability.

Amenity greenspaces should be designed with a public open space function in addition to being created for a landscape, visual amenity and biodiversity value. For instance a woodland strip primarily planted for screening purposes may form part of a larger public open space or double up as a green corridor incorporating a new path. In all cases, landscaped areas must be designed to be fit for purpose and easily accessible for maintenance in order to avoid creating long term nuisance for neighbours. Isolated areas with no public open space contribution are not encouraged and will not be adopted by the Council.

Equipped Areas for Play (EAP)

These areas are purpose built to provide a range of physical and sensory play opportunities for children and to provide important and attractive social spaces for families. The Council classifies play areas as:

Local (LEAP)	Designed to cater for 4-8 year olds in urban and rural settings
Neighbourhood (NEAP) & Rural (REAP)	Designed to cater for 4-8 and 8-14 year olds in separate spaces on the same site.
Premier (PEAP)	Located within major parks providing facilities for children in the local and neighbourhood catchment areas and beyond.

The Council's Play Area Standards provide further information on the minimum requirements for the different types of play areas. The catchment area of existing play areas and how this relates to the new development will define whether an off-site contribution or new play facility is required and what type it should be.

Sports Areas

This includes outdoor pitches and courts with associated facilities such as changing pavilions, parking, landscape framework and good path links. These are required on a larger catchment basis according to the need within the community and should be a shared facility with schools where appropriate. Contributions are required more frequently than new provision but where there is no provision (or limited poor quality provision) within the area, new on site provision may be required from major developments.

Green Corridors and Core Paths

Routes including along waterways, old railway lines and countryside tracks linking different areas within and between settlements. Many will be part of the designated core path network and used for walking, cycling or horse riding. These may be within green corridors and link public open spaces and other community facilities (e.g. Perth Lade Green Corridor). Surfacing signage, planting and other infrastructure requirements needs to be appropriate to the level of use and accessible for maintenance. New development should take account of existing provision and ensure integration, enhancement and links wherever possible.

Natural/Semi-Natural Open Space

Areas of undeveloped or previously developed land with residual natural habitats or which have been planted or colonised by vegetation and wildlife, including woodland and wetland areas. Existing open spaces should be protected and enhanced and physically connect with surrounding green corridors and other blue-green infrastructure. The creation of new natural / semi-natural open spaces may be required where the site presents a specific opportunity to do so (e.g. opportunity to expand woodland on site) or it is to compensate for a loss of existing habitats. They should be biodiverse and accessible through multifunctional path networks to facilitate active travel and informal outdoor activities. These areas will not be regularly maintained to a high amenity standard.

Other Functional Open Space

In some cases it may be required to provide other functional open spaces such as community growing areas (e.g. allotments, orchards) or skate parks. It is assumed that their provision is not supply driven but subject to demand. Consultation with communities and the Local Authority at the pre-application stage can help establish whether there is a need to provide these types of open spaces.

3. Delivering Public Open

The public open space requirements for different types of development vary depending on scale and location. When bringing forward a development proposal, applicants should consider the delivery of appropriate open space at the outset and include it as an integral component of the site layout and design process.

The requirement for open space in relation to new developments will be based on the scale of the development, the accessibility of the site in relation to existing open space and the quality and capacity of existing local open space.

The standard for public open space should be achieved in addition to providing sufficient private garden ground as outlined in the [Council's Placemaking Guide](#).

Minimum Quantity Benchmark

In Perth and Kinross, the minimum amount of public open space required from new residential developments is 80 sqm/ dwelling house or 3.5 ha /1000 people. This should be achieved across the whole masterplan area rather than individual phases. Landscape plans should show which areas are public open spaces as well as their size.



What counts towards the minimum requirement?	What does not count towards the minimum requirement?
<p>Any open space with a clearly defined function which is accessible and can be used for outdoor recreation by members of the public. This also includes the following types of spaces:</p> <ul style="list-style-type: none">• High quality SUDS features which are integrated with the wider public open space provision• Larger areas of buffer / screen / street planting where these are integrated with paths and cycleways.	<ul style="list-style-type: none">• isolated, grassed areas which have no clear public open space function• isolated SUDS features which are not integrated with the wider public open space provision• small areas of street planting• service strips - unless incorporated with public open spaces

Where there is adequate open space provision within the surrounding area, off-site contributions may be required instead of on site provision (see page 9).

The table below provides an overview of the type of on-site public open space that would be expected for developments of different sizes. Question marks indicate where the type of public open space may be required depending on the scale of development and the provision in the surrounding area.

This guidance does not include quantity standards for non-residential development (e.g. employment uses, community facilities). This will be decided on a case by case basis, depending on the location, the type of use location and the amount of demand it is expected to generate.

On-site provision and contribution to off-site provision in the vicinity of the development may be required. Development may be required to contribute to the green infrastructure of the area e.g. connecting green and blue corridors or contributing to paths networks.

	Public Park	Amenity Greenspace	Equipped Play Area	Sport Area	Green Corridors & Core Paths	Other Functional Open Space	Natural / Semi-Natural Open Space
	X	X	X	X	?	X	?
	X	?	?	X	✓	?	?
	?	✓	✓	?	✓	?	?

Indicative public open space requirements for residential development

Accessibility Benchmarks

The accessibility thresholds are put in place to ensure that everyone is within a reasonable walking distance to an area of open space. The thresholds are largely based on the [Fields in Trust Standards for Scotland](#):

- | |
|---|
| Everyone should be within 700m of a public park |
| Everyone should be within 400m of a LEAP playground |
| Everyone should be within 1000m of a NEAP playground |
| Everyone should be within 1200m of a playing field |
| Everyone should be within 500m of a path/green corridor |

In mapping this walking distance, the route must be achievable so that barriers such as rivers, railway lines, dual carriageways or impenetrable built development are taken into account. For calculations based on straight line/ buffer distance, thresholds should be reduced proportionately. It is suggested that 60% of the original threshold is used to estimate walking distance:

- 400m = 240m
- 500m = 300m
- 700m = 420m
- 1000m = 600m
- 1200m = 720m



On-site provision or off-site contribution

For residential developments, public open space provision is likely to be required and should be designed to be integral to the development.

Where it is not possible to provide the required public open space provision on site or the type of public open space required (e.g. football pitch) has a much wider catchment than the proposed development then the Council may seek to secure off-site provision or financial contribution towards upgrading or expanding existing facilities.

Where the various types public open space already exist in the surrounding area and where they are accessible for new residents, there may be no need for new public open spaces on site but a financial contribution to existing facilities may alternatively be required to go towards upgrading the quality of the facility's (e.g. play areas and playing fields) and /or improving access and connectivity (e.g. connecting to and enhancing existing Core Paths).

Where development is located in an area without existing public open spaces, (e.g. a small rural settlement) it will depend on the scale of the proposal whether the provision of new facilities is required. In the case of play areas, the indicative threshold that would trigger the development of a new play facility is reaching approximately 50 residential units within the settlement.

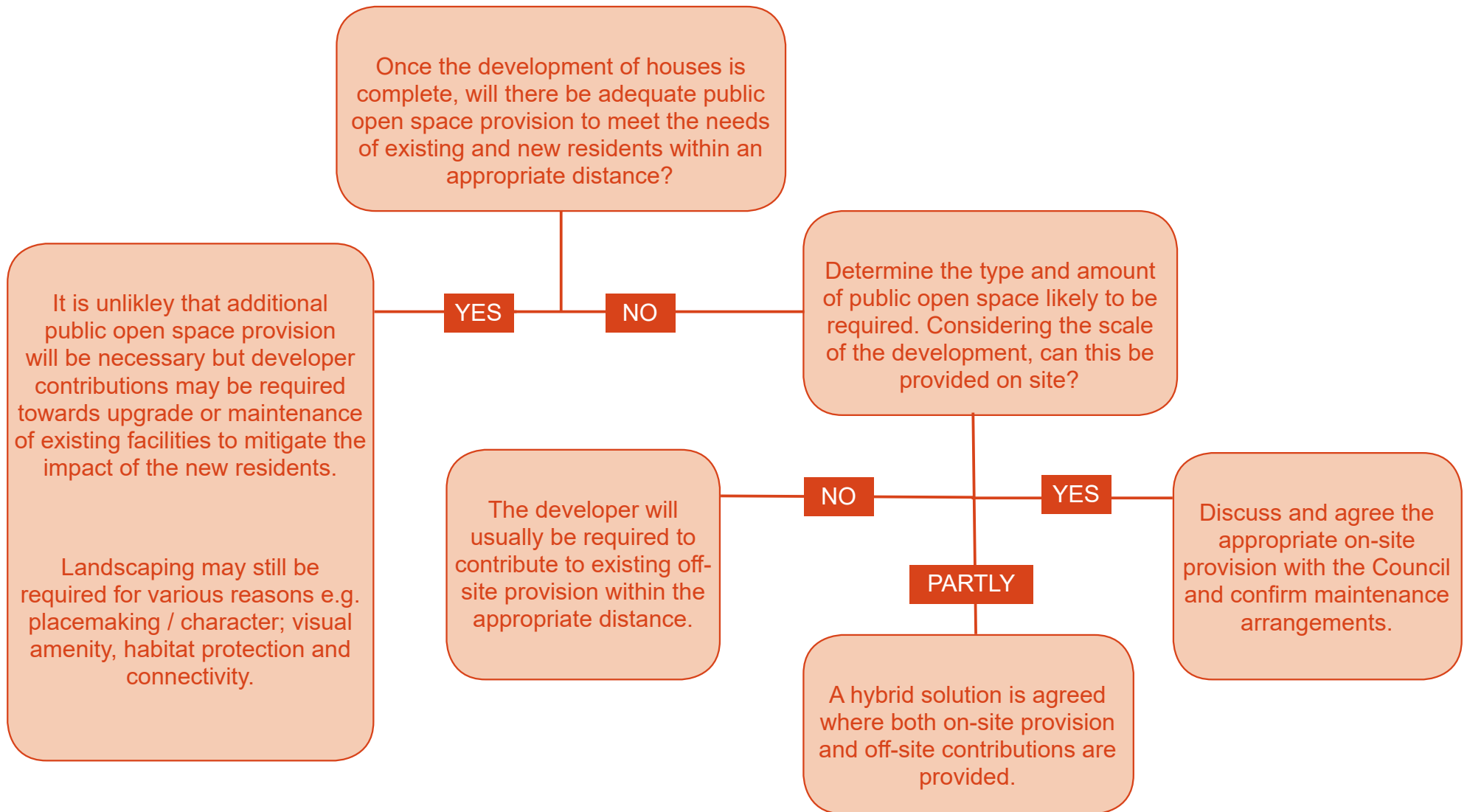
Where smaller developments require a NEAP/REAP which will largely serve the existing population, the Council may contribute to its delivery. In areas where several developments are being delivered at the same time, a new play facility may be delivered through shared off-site contributions and commuted sums between developers.

Even if no on-site public open space provision is required, some areas within the development may need to be landscaped in order to mitigate against flood risk, provide habitat connectivity or buffer between different uses.



Well-designed amenity greenspaces make developments more attractive and provide infrastructure for non-motorised users.

The diagram outlines the process of identifying the type of contribution that is likely to be required from new developments.

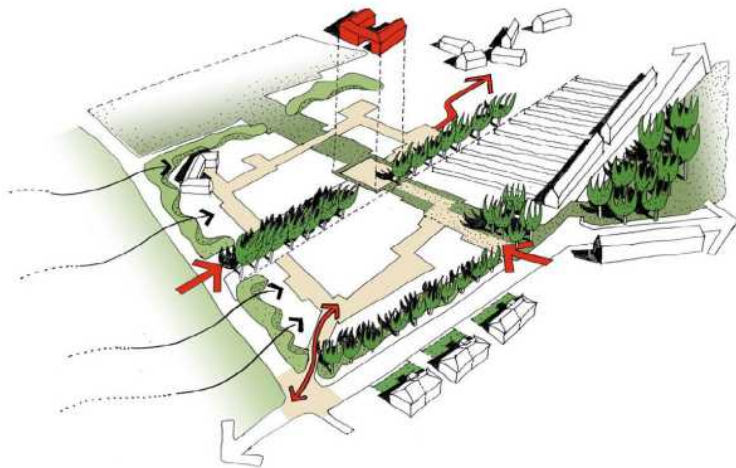


Guide to identifying Public Open Space requirements

4. Design Standards

Proposals must demonstrate through a design statement and/or masterplan that they respond to the following design principles:

- The green and blue infrastructure of the wider area has been identified at the outset and new open spaces are located strategically to form linkages with the existing open space network. Refer to the Council's [Green and Blue Infrastructure Supplementary Guidance](#) to identify opportunities to expand and improve the existing network.



Early stage concept sketch identifies potential green linkages and movement patterns (by Proctor and Matthews Architects)

- The proposed developments sits within the landscape context with due consideration for views from and over the site. Existing significant and/or sensitive features (e.g. mature trees, hedgerows, water features, paths) have been identified and incorporated into the design of development.

- Open spaces have a sense of identity and character which makes them unique to the community which they belong to. Public art, landscaping features and signage provide opportunity to achieve this.
- Public open spaces have clear functions within the design and an adequate size for the given purpose. Plans clearly highlight the intended purpose of all landscaped areas including street greening. Small, isolated parcels of undeveloped land will not be considered as public open space and will not be approved.
- Public open spaces are welcoming and highly accessible for all. They form a network which is easy to navigate and make cycling and walking an attractive transport option.



Open spaces are designed to create green links and are aligned with key pedestrian routes (by Barton Willmore & Urban Union)

- All open space is maintenance efficient with long term sustainable management and maintenance proposals in place. The choice of species takes into account future maintenance implications.
- The types of species reflect the function of the planting and location of the open space and respond sensitively to ground levels on site.
- The protection and enhancement of biodiversity have been considered. Opportunities have been identified within both public open spaces and private garden grounds to incorporate elements which facilitate habitat creation and biodiversity (e.g. wildlife trees and hedges, swift & bat boxes, dry stone walls, wildlife hedges). Native species should be used where appropriate as a first principle, and habitat connectivity should be sought within and beyond the site. Where biodiversity areas are designed to be low or no maintenance they must be clearly marked on the plans.
- Private garden grounds can be clearly distinguished from public open space and amenity street planting. Hedges and small grassed/planted areas adjacent to properties should be incorporated into garden grounds where possible and will not be adopted by the Council.

For further advice on landscaping specifications and sustainable drainage, see Appendix 1 & 2.

In line with Scottish Water guidelines and the Council's Flood Risk Supplementary Guidance, Sustainable Urban Drainage Systems (SuDS) should make a positive wider contribution to the quality of development. SuDS are a soft-engineering solution which aim to create multi-functional landscapes that deliver multiple benefits for water management, amenity and biodiversity. SuDS should be:

- considered from the outset, with enough land allocated for them within the site. Submissions should clearly reflect how the water & drainage strategy has influenced the design approach taken for the site.
- a network of detention features which connect to the wider green and blue infrastructure (rather than only a single feature). Consider different types of SUDS such as ponds, basins, green roofs, swales and rain gardens. These should ideally be naturally linked, providing connectivity for people and wildlife within and through the site.
- located at suitable topographic locations, integrated with other public open space types wherever possible and safely designed to co-exist with activity areas (e.g. playgrounds, sport pitches). SuDS that are isolated and/or provide little amenity value will not be considered part of the public open space contribution.
- accessible and biodiverse, with suitable planting around the edges to maximise their ecological value and also allow for an economical maintenance regime.

Integrated: SuDS, play spaces and amenity areas form one large multifunctional public open space which is central and accessible. Existing woodland and water feature is retained and forms part of the design. The proposal includes different types of SuDS features which are naturally linked together.

Fragmented: SuDS, play area and amenity spaces are disconnected and constrained to small, isolated areas. The lack of connectivity limits benefits for people and wildlife.



- Conveyance swale - very low water
- Permanent pond
- Permanent planted wetland
- Shallow accessible mostly dry 1/30 detention
- Shallow accessible mostly dry 1/200 detention

- Permanently dry play area
- Overflow
- Flow direction
- Woodland
- Paths

	Key Considerations	Positive Examples	Negative Examples
Public Parks	<ul style="list-style-type: none"> -Ensure positive relation between open space and surrounding uses - e.g. housing should be fronting onto a park with an appropriate and attractive frontage design -Provide a diversity of landscaping elements; including a good balance of amenity grass and species diverse grassland, native and ornamental species, trees, shrubs, hedgerows and water features -Incorporate elements which provide natural habitats, sheltered from activity areas -Use landscaping to highlight entrances 	 <p>Multifunctional open space for play and relaxation. The area is overlooked by houses and includes natural landscaping elements.</p>	 <p>Open space has amenity value however its functions are limited. Could benefit from paths, seats, additional features and landscaping.</p>
Amenity Greenspaces	<ul style="list-style-type: none"> -Street planting which provides multiple benefits is encouraged (e.g. traffic calming, sustainable drainage) -Include a mix of species which are appropriate in size for their location and easy to maintain. Avoid planting certain tall growing species close to buildings -On amenity areas where regular maintenance is required, trees should be planted with shrub beds underneath in an appropriate distance from each other -Avoid narrow beds and sharp angles which are difficult to access (e.g. for mowing) 	 <p>Street planting serves as traffic calming and provides an attractive feature in the development. Shrub under-planting instead of grass reduces need for maintenance.</p>	 <p>Vegetation provides good screening however trees and shrubs have been planted too close to the pavement and to houses on the other side. They quickly overgrow and become a liability.</p>

Play Areas	<ul style="list-style-type: none"> -The landscape design should create an interesting and stimulating environment for children by creating character and place through landform design, planting, textures and surfaces. -Prioritise child-friendly and sensory plant species in the vicinity e.g. willow stands for informal play -Provide facilities for families (e.g. seating and social areas) -Use fencing only if specifically necessary for the site (e.g. adjacent to busy roads) and where necessary consider whether required on all sides and create attractive or informal boundary where possible -Comply with the Council's Play Area Standards. Further guidance will be available on http://www.pkc.gov.uk/playareas. 	 <p>Play area situated central to the development and it is overlooked by houses. It is within a safe distance from the road and there is plenty of space for informal play. Natural materials enhance its appearance and stimulate play.</p>	 <p>Play equipment is well maintained but activity area is constrained by metal fence. If boundaries are necessary, landscaping and natural materials would be preferable. Additional elements which stimulate play and social interaction would benefit the play area.</p>
Sport Areas	<ul style="list-style-type: none"> -Located on good, level free draining land -Ideally integrated into a public park and/ or design to be a greenspace not just a pitch -Should be accessible with both path and vehicular links -Consider the impact on residents and provide adequate separation between playing pitches and houses -Structure planting around the perimeter of the site should be designed to reduce wind, noise and light spill -Potential for wildflower corners and strips alongside edges 	 <p>Rugby pitch located within a park which is the focal point of the neighbourhood and is accessible by paths.</p>	 <p>Kickabout area located on a small amenity space. Instead of a fence, boundary planting could have made this space more attractive.</p>

Green corridors & Core Paths

- Incorporate paths in landscaping
- Paths should facilitate both active travel and recreational uses and link to wider path network & community facilities (e.g. safe routes to school). They should ideally be located within green corridors, remote from roads
- Design landscaping to maintain good sightlines. Paths must be barrier free, have suitable width, surfacing and signage. They should comply with the [Council's Advice Notes on Public Access](#).
- Paths must keep to one side of water features/woodlands to provide refuge for wildlife on the other.



Attractive paths with houses on one side and vegetation set back from path edge on the other. Good sight lines are maintained and overlooking windows contribute to a sense of security.



Path lacks character and it is isolated from the rest of the development. High fences limit opportunities for natural surveillance.

Natural / Semi- Natural Open Spaces

- Natural appearance with a diverse range of habitats and shelter areas for wildlife
- Good mix of native species that fit in with existing habitats around the site
- Entrances and paths are easy to navigate and link with existing routes.
- There is appropriate signage throughout the site.
- Well developed ground layers and wide, species rich edge, where appropriate
- Appropriate facilities for visitors e.g. litter bins, seating



Public art can be used to mark key entrance points to woodlands and other natural open spaces. Also consider where litter bins and seating should be located.



Designing the basin as a natural wetland area with more robust structure planting would allow for a smoother transition between the development and the countryside.

5. Developer Contributions & Maintenance

Mitigating the Impact of New Development

Developments will be required to mitigate their impact on local open space and sports facilities through on-site or off-site provision or financial contributions.

Financial contributions may be paid up front, prior to release of planning consent. Delayed payment of contributions will normally be secured by means of a Section 75 Planning Obligation between the Council, developer, landowner and any other relevant person(s). Such Planning Obligations will need to be registered before planning permission can be issued.

Accountability

Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and the planning application reference number to ensure the individual sums can be accounted for.

Where a contribution has been made through a Section 75 Agreement, the appropriate person will be able to reclaim any money not spent for the agreed purpose after 15 years from the date of collection. Where contributions are returned, interest will be made payable at 0.25% below the Bank of Scotland base rate.

The [Council's Developer Contributions Supplementary Guidance](#) includes detailed advice on the Planning Obligations and the phasing of payments.

Adoption and Maintenance of Open Space

Maintenance of open space will be agreed prior to the commencement of work and will usually be set out in planning conditions. [The Council's Policy on Maintenance Options for Public Open Spaces in New Residential Developments](#) sets out two options for the maintenance of public open spaces:

1. The Council adopts all public open space in new developments. In this case the flat rate commuted sums will be paid by the developer with no charge to the residents. Where there is a planning requirement for exceptionally large public open space areas, such as a country park, the Council reserves the right to apply a site specific commuted sum calculation for these areas. Areas of amenity planting and small open spaces which do not benefit the public will not be adopted by the Council. These areas can be maintained through employing a private factor or them remaining the resident's responsibility.

2. The Council will adopt only Priority Public Open Space (PPOS) (equipped play areas, large parks¹, sports pitches and possibly green corridor path links which are of importance to the wider community) in all developments to ensure they are available to the public and that residents are not charged for these important public spaces. In all cases the Council must adopt above grounds SUDS (where Section 7 agreement applies) and they are being jointly maintained with Scottish Water (see below). For play areas, payment of the flat rate commuted sum will apply. For the other PPOS areas the flat rate commuted sum per dwelling will not apply. Instead, a site specific commuted sum will be calculated separately, based on current maintenance rates, and be paid by the developer. For all remaining POS and amenity areas the developer can apply a Development Management Scheme (DMS), subject to Council agreement, with home owners meeting maintenance costs of these areas. Land title for the POS areas must be transferred to the Owners' Association.

In both options, developers must transfer land title and pay the appropriate commuted sums prior to maintenance handover for all adopted public open space. Payment of a security deposit which is calculated as a percentage of the commuted sum is also required to ensure that all public open space meets Council standards prior to adoption. Although developers can opt for private arrangements for some areas, Council adoption of all public open space within a development is preferred as it is a simpler process. It also has the benefit that after adoption, developers and residents are relieved of all future maintenance responsibilities which will be attractive to all prospective house purchasers.

Areas of amenity planting and small open spaces which do not benefit the public will not be adopted by the Council. These areas can be maintained through employing a private factor or remain the residents' responsibility.

Where there are opportunities for community management such as allotments, amenity woodland or sports pavilions, this is encouraged and arrangements with the Council such as a Licence to Occupy can be applied.

A landscape management plan must be provided identifying the short, medium and long term management proposals for the site and the elements within it. A list of assets, quantities, life time costs, and routine maintenance operations must be provided and approved.

Regardless of the maintenance arrangements in place, public open spaces created by new developments should remain to be used as public open space in perpetuity.

Please refer to the [Council's Flood Risk Supplementary Guidance](#) for information on the vesting of SuDS features. Note that site specific commuted sums may apply.

Commuted Sums

To ensure clarity for developers, the Council's standard commuted sum for play areas and public open space are set out in the table below. Commuted sums have been calculated to be the equivalent to annual maintenance over a 20 year period. Where play areas are adopted, the commuted sum includes a contribution to the replacement cost within that 20 year period.

¹ Large parks will usually incorporate play and/or pitch facilities, further POS areas within the same development if over 1ha and suitable for informal play or ball 'kickabouts' will usually also be considered as large parks. Where play and pitch facilities are not required within a development the same criteria apply. In small settlements areas of public open space smaller than 1ha may be significant and the largest of these will be considered large parks.

Public Open Space Area	Commuted Sum Amount (2020/2021)
Public Open Space Adoption	£800 per dwelling *
Play Area adoption	£65,500 per LEAP £82,000 per NEAP/REAP
Additional facilities within major developments (e.g. changing pavilions, skate parks, allotments)	This will be calculated on a site by site basis

* in addition to separate commuted sums for play areas

All figures above are based on the current maintenance costs for 2020/21 however the commuted sums will be uplifted annually on 1 April in line with the retail price index (RPI). The appropriate commuted sums will be applied at the time of adoption. Where the Council adopts only priority public open spaces, the measurements and maintenance costs of adoptable areas will have to be calculated by the developer and provided for the Council to check and approve.

The calculation of commuted sums is set out in detail in the Council's Policy on Maintenance Options for Public Open Spaces in New Residential Developments.

It should be noted that the cost of maintaining structures within public open spaces is not included in the commuted sums detailed above. Developers must highlight where an area of open space includes structures and they may have to pay additional commuted sums on a case by case basis. A structure in this respect can be defined as either a bridge, culvert or retaining wall to be adopted by the Council. For information on design requirements please refer to the [Design Manual for Roads and Bridges](#).

6. Applying the Guidance

Establishing public open space requirements is a key step in the wider design process:

Study the site context to identify existing green and blue infrastructure and opportunities for new connections within and around the site. Check the [Green Infrastructure Supplementary Guidance](#) and the [Local Development Plan](#) for site specific requirements.



Use this guidance to identify the type of open space which is likely to be required and establish a conceptual layout.



During the pre-application consultation, discuss requirements and early design decisions with the relevant stakeholders.



Develop a design statement and landscape plan which is easy to read and shows the right level of detail.

Studying the context

The Council's [Placemaking Guide](#) provides detailed advice on collecting baseline information and preparing site appraisals. In addition, the following sources may be useful in identifying existing open spaces in the vicinity of the development:

- [Map of Council maintained open spaces](#)
- [Green Infrastructure Supplementary Guidance](#) web map
- [Ordinance Survey Open Greenspace dataset](#)
- Google maps (aerial & street view)
- Site visits

Determining the required provision

Min.Quantity Standards	Accessibility Standards	Design Standards
80m ² of open space per dwelling or 3.5ha per 1000 people	Everyone should be within 700m walking distance of a public park	New public open spaces should:
	Everyone should be within 1200m walking distance of a playing field	-form a network and link to existing green/blue spaces -sit within the landscape context - have a sense of identity and character
	Everyone should be within 400m walking distance of a LEAP playground and within 1000m of a NEAP playground	-have clear function(s) -be welcoming and accessible for all -be maintenance efficient -be biodiverse
	Everyone should be within 500m of a path	-be clearly distinguished from private gardens

The minimum public open space required will be calculated based on the number of dwellings and the likely number of future residents within a new development. The average household size across Perth and Kinross is 2.19 people / household (Census, 2011). The minimum requirement may be delivered on site or off-site and in certain scenarios financial contributions may be sought instead.

Pre-application discussions and engagement

While this guidance provides an indication of likely open space requirements, every scenario is unique. Developers are encouraged to initiate [pre-application discussion](#) with the Council in order to seek advice on the local context and agree on the open space contributions (fees apply).

In addition to contacting Local Authorities, advice could also be sought from other parties such as **sportscotland** when outdoor sport facilities may be required or could be affected by the development.

Early discussions with Scottish Water about the ambitions for SUDS such as potential conveyance swales, planting near SUDS or avoidance of warning signs and fencing can help enabling better placemaking.

Early community consultation helps assessing local demand for specific types of open spaces and allows residents to provide feedback on the initial design. Where sport provision/contributions are likely to be required, approaching local sport groups and Live Active Leisure's Sports Development Team can help inform the

developer and authority about demand for additional facilities or the possibility of upgrading existing ones. Clearly, the local aspirations have to be balanced with the demand arising from the new development where the future residents cannot be consulted in advance.



The need for demand driven facilities can be established through public consultation and discussions with relevant stakeholders.

Planning application stage

The Design Statement should reflect an understanding of existing green infrastructure and key landscape elements. It should highlight how new public open spaces enhance the existing green network.

Landscape Plans should include an appropriate level of detail, facilitating the assessment of proposals against Council standards. They should:

- Show the location, size and function of all public open spaces (with reference to the typologies outlined in this guidance).
- Illustrate connections to green infrastructure, off road paths, active travel and key destinations outwith the site boundary
- Show levels (gradients) and existing features.
- Provide cross sections of key public open spaces.
- Include specifications of any sport, play area and path (including the type of play equipment, surface materials).
- Where SuDS are integrated within the public space, plans should distinguish between permanent water/pond, planted wetland and various detention scenarios for the accessible green space, ideally showing water conveyance flow directions and exceedance flow path
- Include specifications for any structure on site (e.g. bridges, steps, landmark features).
- Provide full details of all planting (size, species, density, location) and differentiate existing and new vegetation.
- Mark public open spaces to be adopted by the Council.

Appendix 1: Further Guidance on Landscaping

The following section is aimed at informing landscape architects and designers about the Council's expectations with regards to the design of public open spaces and landscaped areas. The Appendix should be read in conjunction with the standards and design advice set out in the main body of the Supplementary Guidance.

1. Path standards

Function	Key standard
Pedestrian	width min 1.5m
Multi-use (cycle, pram, mobility scooter, pedestrian)	width min 2.5m; surfacing blacktop
Segregated cycle/pedestrian	width min 3m; white line divides users
Self-closing gate	Avoid kissing gates/stiles
Signage	Destination and distance should be clear; simple arrow waymarker can indicate continuous route.
Bridges	Steel beam and non –slip timber deck and timber balustrade; timber larch or other approved
Slopes ramped with handrail	Wooden steps should be avoided, material must be easy to maintain

2. Sports pitch standards in public parks

- Marked out pitches with goalposts to be grouped & highly accessible via paths, roads and public transport with parking provided.
- To be located on level free draining land with positive drainage required where indicated by ground tests.
- Any landscaping (e.g. trees) should be a minimum of 5m away from the edge of playing fields.
- To reduce noise and light disturbance, playing pitches should be adequately separated from residential areas. Landscaping along the boundaries should be robust, minimising light spill and noise impact. **sportscotland's** [planning guidance](#) provides further advice on the siting of synthetic sport pitches with regards to noise and floodlighting.
- Changing/community pavilion required for 2 or more pitches to be suitable for level of use (min 2 teams)
- Grass pitches should be constructed to meet the requirements of the [Quality Performance Standard](#)
- Detailed advice on the design of sport pitches is available at <https://sportscotland.org.uk/facilities/design-guidance/>

Function	Pitch size	Buffer zones (based on Fields in Trust standards)
MUGAs (multi-purpose game areas)	18 x 36 m	30m minimum separation between activity zone and boundary of dwellings
Football full sized	60 x 100 m	3 m safety margin all around
Football junior (7 aside)	60 x 40 m	3 m safety margin all around

3. General Planting Standards

- Create a multifunctional spaces with attractive landscaping elements and good path connections. Open spaces should include a diversity of planting and landscaping elements relative to their size. The landscape and planting design (and subsequent maintenance) should reflect the function and character of the location. Amenity grass, shrub beds and trees are appropriate in areas with high level of activity (e.g. a public park, town centre amenity space). Low maintenance solutions such as long grass, wildflowers, informal shrub planting and tree belt are appropriate in areas where activity is low and biodiversity value can be increased (e.g. at edges of open spaces, larger areas of open space with limited functions, traffic islands).
- The choice of new planting should consider the ultimate height and spread, form, habit and colour, density of foliage and maintenance implications of species.
- Consider seasonal interest and support biodiversity
- Use native species for structure planting (especially blossom and berry bearing trees)
- An appropriate distance should be left between trees and buildings both within gardens and on the street. Furthermore, sufficient space must be given between trees and residential boundaries, sports pitches, play areas and paths. This will avoid unnecessary maintenance and removals in the future.
- Shrub species selection should relate to the location and should not outgrow the space available leading to excessive and avoidable maintenance (e.g. shrubs should not grow across paths). Amenity grass areas are largely obstacle free, shaped and at a gradient suitable for machine cutting.
- On amenity grass areas where regular maintenance is required, trees should be planted with shrub beds underneath or in an appropriate distance from each other not to become mowing obstacles. This applies for instance to avenue trees or trees on the edge of parks / sport areas.
- All planting must be established and achieve full ground cover prior to adoption/handover (after minimum 1 year from planting).
- Sloping sites which require regular maintenance should be no more than 15 degrees for mowers with a 3m clearance around any obstacles.

The table below includes a list of species which may be considered for different areas of open space. This is not an exhaustive list and should be applied with regards to the specific site context and biodiversity needs. The table also highlights key considerations when preparing landscape plans and deciding on the type of species.

Planting type		Examples of suitable species	Consideration
Woodlands	Woodland mix 	<p>sessile oak (<i>Quercus petraea</i>); pedunculate oak (<i>Quercus robur</i>); alder (<i>Alnus glutinosa</i>); silver birch (<i>Betula pendula</i>); wild cherry (<i>Prunus avium</i>); bird cherry (<i>Prunus padus</i>); rowan (<i>Sorbus aucuparia</i>); hazel (<i>Corylus avellana</i>); scots pine (<i>Pinus sylvestris</i>); holly (<i>Ilex aquifolium</i>); blackthorn (<i>Prunus spinosa</i>); hawthorn (<i>Crataegus monogyna</i>); crab apple (<i>Malus sylvestris</i>); goat willow (<i>Salix caprea</i>); grey willow (<i>Salix cinerea</i>); white willow (<i>Salix alba</i>); yew (<i>axus baccata</i>); honeysuckle (<i>Lonicera periclymenum</i>)</p> <p>Woodland Mix wildflowers including bugle (<i>Ajuga reptans</i>); enchanter's nightshade (<i>Circaea lutetiana</i>); foxglove (<i>Digitalis purpurea</i>); wild garlic (<i>Allium ursinum</i>); dogwood (<i>Cornus sanguinea</i>); box (<i>Buxus sempervirens</i>); elderberry (<i>Sambucus nigra</i>); traveller's joy (<i>Clematis vitalba</i>)</p>	- Avoid using non-native species; there is a preference to Scottish native species for biodiversity value.
Standard trees	Street Planting Avenue trees, trees around parking spaces, traffic calming islands, civic spaces etc. The amount of space can vary enormously with the exact context.	<p>Fastigate/ narrow species for confined spaces</p> <ul style="list-style-type: none"> - fastigate scots pine (<i>Pinus sylvestris</i> 'Fastigiata') Height 8m Spread 3m - fastigate aspen (<i>Populus tremula</i> 'Erecta') Height 12m Spread 4m - fastigate aspen (<i>Populus tremula</i> 'Fastigiata') Height 10m Spread 4m - fastigate oak (<i>Quercus robur</i> 'Fastigiata') Height 15m Spread 6m - fastigate rowan (<i>Sorbus aucuparia</i> 'Fastigiata') Height 6m Spread 4m - hybrid whitebeam, service tree (<i>Sorbus thuringiaca</i> Fastigiata) Height 8m Spread 4m - fastigate field maple (<i>Acer campestre</i> 'Elsrijk' Fastigate) Height 10m Spread 4m - fastigate hornbeam (<i>Carpinus betulus</i> 'Frans Fontaine') Height 12m Spread 5m - fastigate purple beech (<i>Fagus sylvatica</i> Dawyck Purple) Height 12m Spread 6m - chonosuki crab (<i>Malus tschonoskii</i>) Height 8m Spread 6m 	<p>- To maximise biodiversity value, this should be predominantly native trees.</p> <p>- Ash and European Larch should not be included in landscaping proposals due to disease, until advised otherwise by the Scottish Forestry.</p> <p>- Consider what is the appropriate species for the location and consider the species choice at maturity, not just at the time of planting.</p>

Standard trees	<p>Street Planting (continued)</p> <ul style="list-style-type: none"> - pright sargent`s cherry (<i>Prunus sargentii</i> `Rancho`) Height 6m Spread 4m - callery pear (<i>Pryus calleryana</i> `Chanticleer`) Height 12m Spread 4m - fastigate false acacia (<i>Robinia pseudoacacia</i> `Pyramidalis`) Height 12m Spread 5m - fastigate beech (<i>Fagus sylvatica</i> Dawyck) height 20m, spread 3m - upright flowering cherry (<i>Prunus hillieri</i>) height 10, spread 6m <p>Broader species for where space allows.</p> <ul style="list-style-type: none"> - silver birch (<i>Betula pendula</i>) Height 12m Spread 8m - double flowering gean (<i>Prunus avium</i> `Plena`) Height 12m Spread 8m - hawthorn (<i>Crataegus monogyna</i>) Height 12m Spread 6m - scots pine (<i>Pinus sylvestris</i>) Height 15m Spread 8m - bird cherry (<i>Prunus padus</i>) Height 12m Spread 8m - rowan (<i>Sorbus aucuparia</i>) Height 12m Spread 6m - field maple (<i>Acer campestre</i>) Height 12m Spread 8m - sweet gum (<i>Liquidambar styraciflua</i> `Worplesdon`) Height 12m Spread 8m - whitebeam (<i>Sorbus aria</i>) Height 12m Spread 8m - swedish whitebeam (<i>Sorbus intermedia</i>) Height 12m Spread 8m - caucasian lime (<i>Tilia euchlora</i>) Height 12m Spread 8m <p>Larger street trees for wide verges</p> <ul style="list-style-type: none"> - scots pine (<i>Pinus sylvestris</i>) Height 18m Spread 8m - silver maple (<i>Acer saccharinum</i>) height 20m, spread 8m - sessile oak (<i>Quercus petraea</i>) Height 18m Spread 10m - sweet chestnut (<i>Castanea sativa</i>) Height 18m Spread 10m - common beech (<i>Fagus sylvatica</i>) Height 18m Spread 10m - wych elm (<i>Ulmus glabra</i>) Height 15m Spread 10m - norway spruce (<i>Picea abies</i>) Height 18m Spread 10m - false acacia (<i>Robina pseudoaecia</i>) height 30m, spread 7m - norway maple (<i>Acer platanoides</i>) height 25m, spread 10m 	<ul style="list-style-type: none"> - Leave plenty of space between trees and houses and avoid very large species. Consider species with seasonal interest and lighter canopies. - Avoid planting large species within 15m of garden boundaries, particularly to the south and west of dwellings. Avoid all tree planting within 1.5m of garden boundaries. -Where space allows (e.g. within parks, larger amenity spaces), plant trees at least 1.5m away from footpaths and pavements to prevent future maintenance issues - Where space does allow such as in a large open space take the opportunity to plant large growing species such as oak, scots pine and lime species - Consider planting low maintenance shrubs under tree instead of grass to limit the need for maintenance. - Avoid planting lime close to parking areas.
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Standard trees	Street Planting (continued)	<ul style="list-style-type: none"> - purple leaved beech (<i>Fagus sylvatica purpurea</i>) Height 18m Spread 10m - common walnut (<i>Juglans regia</i>) Height 18m Spread 10m - hungarian oak (<i>Quercus frainetto</i>) Height 15m Spread 10m - common lime (<i>Tilia Europaea</i>) Height 18m Spread 10m - caucasian lime (<i>Tilia euchlora</i>) Height 15m Spread 8m 	
	Trees in private gardens Small growing and decorative with seasonal interest	<ul style="list-style-type: none"> - common hazel (<i>Corylus avellana</i>) Height 8m Spread 4m - hawthorn (<i>Crataegus monogyna</i>) Height 6m Spread 4m - 'Paul's scarlet' red flowering hawthorn (<i>Crataegus laevigata</i>) Height 6m Spread 4m - crab apple (<i>Malus sylvestris</i>) Height 6m Spread 4m - rowan (<i>Sorbus aucuparia</i>) Height 6m Spread 4m - rowan with yellow berries (<i>Sorbus 'Joseph Rock'</i>) Height 6m Spread 4m - field maple (<i>Acer campestre 'Elsrijk' Fastigiate</i>) Height 10m Spread 4m - paperbark maple (<i>Acer griseum</i>) Height 6m Spread 4m - june berry (<i>Amelanchier lamarkii</i>) Height 6m Spread 4m - pillar apple (<i>Malus tschonoskii</i>) Height 10m Spread 6m - tibetan cherry (<i>Prunus serrula</i>) - yoshino cherry (<i>Prunus × yedoensis</i>) Height 6m Spread 4m - callery pear (<i>Pyrus calleryana 'Chanticleer'</i>) Height 12m Spread 4m - vilmorin's rowan (<i>Sorbus vilmorinii</i>) Height 6m Spread 4m 	
	Shelterbelts/ Screening/ Peripheral planting to screen noise and limit visual impact (e.g. by roads)	<ul style="list-style-type: none"> - aspen (<i>Populus tremula</i>) Height 15m Spread 10m - hawthorn (<i>Crataegus monogyna</i>) Height 6m Spread 8m - holly (<i>Ilex aquifolium</i>) Height 10m Spread 6m - hazel (<i>Corylus avellana</i>) Height 6m Spread 6m - rowan (<i>Sorbus aucuparia</i>) Height 6m Spread 4m - crab apple (<i>Malus sylvestris</i>) Height 6m Spread 4m - gean (<i>Prunus avium</i>) Height 12m Spread 8m - bird cherry (<i>Prunus padus</i>) Height 12m Spread 8m - blackthorn (<i>Prunus spinosa</i>) Height 6m Spread 4m - downy birch (<i>Betula pubescens</i>) Height 12m Spread 8m 	- To maximise biodiversity value, this should be predominantly native trees.

Standard trees	Shelterbelts/ Screening/ Peripheral planting (continued)	<ul style="list-style-type: none"> - silver birch (<i>Betula pendula</i>) Height 12m Spread 8m - alder (<i>Alnus glutinosa</i>) Height 12m Spread 8m - goat willow (<i>Salix caprea</i>) Height 12m Spread 8m - eared willow (<i>Salix aurita</i>) Height 6m Spread 4m - scots pine (<i>Pinus sylvestris</i>) Height 18m Spread 8m - sessile oak (<i>Quercus petraea</i>) Height 18m Spread 8m - penduculate oak (<i>Quercus robur</i>) Height 18m Spread 8m - dog rose (<i>Rosa canina</i>) Height 4m Spread 4m - guelder rose (<i>Viburnum opulus</i>) Height 4m Spread 4m - wych elm (<i>Ulmus glabra</i>) Height 15m Spread 10m - dogwood (<i>Cornus sanguinea</i>) smaller species to create an understory - elderberry (<i>Sambucus nigra</i>) smaller species to create an understory - privet (<i>Ligustrum nivale</i>) smaller species to create an understory - balsam spire (<i>Populus TT32</i>) height 30m, spread 8m for rapid screening 	
	Large Majestic Trees Only plant where there is room for the trees to grow, however where space does allow these species are a major asset	<ul style="list-style-type: none"> - scots pine (<i>Pinus sylvestris</i>) Height 18m Spread 8m - aspen (<i>Populus tremula</i>) Height 15m Spread 10m - douglas fir (<i>Pseudotsuga menziesii</i>) 18m Spread 10m - sessile oak (<i>Quercus petraea</i>) Height 18m Spread 8m - red oak (<i>Quercus rubra</i>) Height 15m Spread 10m - common lime (<i>Tilia Europaea</i>) Height 18m Spread 8m - caucasian lime (<i>Tilia euchlora</i>) Height 15m Spread 8m - wych elm (<i>Ulmus glabra</i>) Height 15m Spread 10m - sweet chestnut (<i>Castanea sativa</i>) Height 18m Spread 10m - common beech (<i>Fagus sylvatica</i>) Height 18m Spread 10m - purple leaved beech (<i>Fagus sylvatica purpurea</i>) Height 18m Spread 10m - common walnut (<i>Juglans regia</i>) Height 18m Spread 10m - pedunculate oak (<i>Quercus robur</i>) height 40m, spread 20m - norway maple (<i>Acer platanoides</i>) height 25m, spread 10m - large leaved lime (<i>Tilia platyphyllos</i>) height 15m, spread 8m 	

Shrubs	<p>Shrubs as street planting or green amenity spaces (e.g. as boundary treatment or under trees) and as part of private garden grounds</p>	<p>Species selection of shrubs should be on the basis of ‘right shrub, right place’ which should be on the basis of the following considerations:</p> <ul style="list-style-type: none"> - it is suitable in size both width and height for its location - shrubs should not outgrow the size of the shrub bed especially adjacent to paths , gardens and roads - robustness and good growth for establishment - function e.g. screening - feeling of security e.g. sightlines along paths and potential feeling of over enclosure. - amenity and seasonal interest - biodiversity e.g. shelter for birds, pollen, berries - thorny and spiky species should be used carefully and avoided next to paths and in windy locations where likely to trap litter, or where access for maintenance required e.g. by fences - hardy perennials may also be useful in conjunction with shrub planting 	<p>-To maximise biodiversity value, this should be predominantly native shrubs.</p> <p>- Include pollinary friendly species wherever possible</p> <p>-Where space allows (e.g. within parks, larger amenity spaces), plant shrubs at least 1.5m away from footpaths and pavements to prevent future maintenance issues</p>
Grass Areas	<p>General amenity grass mixes</p>	<ul style="list-style-type: none"> - Flowering Lawn mix including oxeye daisy (<i>Leucanthemum vulgare</i>); birds foot trefoil (<i>Lotus corniculatus</i>); yarrow (<i>Achillea millefolium</i>); lady’s bedstraw (<i>Galium verum</i>) - Bee, Bird & Butterfly Mix including cow parsley (<i>Anthriscus sylvestris</i>); viper’s bugloss (<i>Echium vulgare</i>); yarrow (<i>Achillea millefolium</i>) - Urban Pollinator mix including wild grasses and wildflowers such as oxeye daisy (<i>Leucanthemum vulgare</i>); hedge woundwort (<i>Stachys sylvatica</i>); sweet vernal grass (<i>Anthoxanthum odoratum</i>) 	<p>- To maximise biodiversity value, this should be predominantly native species.</p>

Grass Areas	Wild grasses at the back of amenity greenspaces	sheep's fescue (<i>Festuca ovina</i>); wavy hair-grass (<i>Deschampsia flexuosa</i>); yorkshire fog (<i>Holcus lanatus</i>); timothy grass (<i>Phleum pratense</i>)	
	Meadow grassland	<ul style="list-style-type: none"> - Northern Hay meadow mix including pignut (<i>Conopodium majus</i>); self-heal (<i>Prunella vulgaris</i>); common sorrel (<i>Rumex acetosa</i>) - Highland Meadow mix including alpine lady's mantle (<i>Alchemilla alpina</i>); tormentil (<i>Potentilla erecta</i>); devil's bit scabious (<i>Succisa pratensis</i>); heather (Summer flowering varieties) - MG5 meadow mix including agrimony (<i>Agrimonia eupatoria</i>); meadow vetchling (<i>Lathyrus pratensis</i>); common knapweed (<i>Centaurea nigra</i>) 	
	Biodiversity banks for steep banks	<ul style="list-style-type: none"> - Spring flowers/grassy bank: cowslip (<i>Primula veris</i>); primrose (<i>Primula vulgaris</i>); spring crocus (<i>Crocus vernus</i>); snowdrop (<i>Galanthus nivalis</i>); wild daffodil (<i>Narcissus pseudonarcissus</i>); bluebell (<i>Hyacinthoides non-scripta</i>); lady's- smock (<i>Cardamine pratensis</i>); wood forget-me-not (<i>Myosotis sylvatica</i>) - Summer flowers/grassy bank: harebell (<i>Campanula rotundifolia</i>); lungwort (<i>Pulmonaria officinalis</i>); red campion (<i>Silene dioica</i>); sweet violet (<i>Viola odorata</i>); common rock-rose (<i>Helianthemum nummularium</i>); common poppy (<i>Papaver rhoeas</i>); lavender (<i>Lavandula angustifolia</i>) - Urban banks: different heathers with lungwort (<i>Pulmonaria officinalis</i>); hebe (<i>Hebe spp</i>); ivy (<i>Hedera helix</i>) - On thin soil: Dry Meadow mix including kidney vetch (<i>Anthyllis vulneraria</i>); wild carrot (<i>Daucus carota</i>); common rock-rose (<i>Helianthemum nummularium</i>) - On damp ground: flag iris or yellow Iris (<i>Iris pseudacorus</i>); purple loosestrife (<i>Lythrum salicaria</i>); water mint (<i>Mentha aquatica</i>); meadowsweet (<i>Filipendula ulmaria</i>); ragged robin (<i>Lychnis flos-cuculi</i>); butterbur (<i>Petasites hybridus</i>); lesser celandine (<i>Ranunculus ficaria</i>) - Steep banks with thin soil: dry Meadow mix including kidney vetch (<i>Anthyllis vulneraria</i>); wild carrot (<i>Daucus carota</i>); common rock-rose (<i>Helianthemum nummularium</i>) 	

	Biodiversity banks (continued)	-Herbs including chives, sweet cicely, angelica, borage, marjoram, rosemary, mint (all varieties), hyssop, fennel, thyme	
Hedges	Boundary hedges to mark the boundary of private garden grounds or open spaces	<ul style="list-style-type: none"> - wild privet (<i>Ligustrum vulgare</i>); common beech (<i>Fagus sylvatica</i>); holly (<i>Ilex aquifolium</i>); hazel (<i>Corylus avellana</i>); yew (<i>Taxus baccata</i>) - hornbeam (<i>Carpinus betulus</i>); honeysuckle (<i>Lonicera nitida</i>) create formal hedges in greenspaces or gardens. - Decorative hedges within gardens can include shrub roses, medium cotoneaster species 	<ul style="list-style-type: none"> - To maximise biodiversity value, this should be predominantly native species. -Where space allows (e.g. within parks, larger amenity spaces), plant informal hedges at least 1.5m away from footpaths and pavements to prevent future maintenance issues
	Informal Hedges as part of screen planting by the roadside, in low maintenance areas	dog-rose (<i>Rosa canina</i>); elder (<i>Sambucus nigra</i>); dogwood (<i>Cornus sanguinea</i>); hazel (<i>Corylus avellana</i>); blackthorn (<i>Prunus spinosa</i>); hawthorn (<i>Crataegus monogyna</i>)	
	Hedge base	Hedgerow Mix including herb bennet (<i>Geum urbanum</i>); greater stitchwort (<i>Stellaria holostea</i>); lesser stitchwort (<i>Stellaria graminea</i>)	
	Wetland areas by the edge of SUDS features.	Wet meadow mix including meadowsweet (<i>Filipendula ulmaria</i>); water avens (<i>Geum rivale</i>); sneezewort (<i>Achillea ptarmica</i>) or any native marginal aquatic planting suited to the design, function and location.	
General Greenspace plantings	Climbers	box honeysuckle (<i>Lonicera nitida</i>); clematis montana (<i>Clematis montana</i>)	<ul style="list-style-type: none"> -Consider maintenance implications and what support is required and e.g. for fences -To maximise biodiversity value, this should be predominantly native planting.
	Ground cover	bilberry (<i>Vaccinium myrtillus</i>); juniper (<i>Juniperus communis</i>); lesser periwinkle (<i>Vinca minor</i>); ivy (<i>Hedera helix</i>) (avoid if trees nearby)	
	Green Roofs	<ul style="list-style-type: none"> -Green Roof mix including thrift (<i>Armeria maritima</i>); heath bedstraw (<i>Galium saxatile</i>); common toadflax (<i>Linaria vulgaris</i>); stonecrop (<i>Sedum spp</i>) -Herbs including chives, sweet cicely, angelica, borage, marjoram, rosemary, mint (all varieties), hyssop, fennel, thyme 	
	Bulbs	autumn crocus (<i>Colchicum autumnale</i>); snowdrop (<i>Galanthus nivalis</i>); bluebell (<i>Hyacinthoides non-scripta</i>)	

Appendix 2: Further Guidance on Sustainable Drainage

The consultation on the draft Open Space Guidance highlighted the need to provide more in-depth advice on the design of Sustainable Drainage Systems and align priorities with stakeholders involved with the design and maintenance of SUDS. The following section responds to the issues highlighted on the stakeholder workshop in June 2019, and provides a technical checklist for developers and designers.

System hierarchy

Sustainable Urban Drainage Systems are designed to mimic the natural hydrological process. They collect and treat excess water and direct it towards wetlands, streams or aquifers. This process requires a network of SuDS features that are spread across the site.

Source control

Features such as swales, green roofs and rain gardens control water at source and prevent flooding elsewhere. They can be located in soft or hard surfaced areas, including verges by the side of the road to minimise land take.

Site control

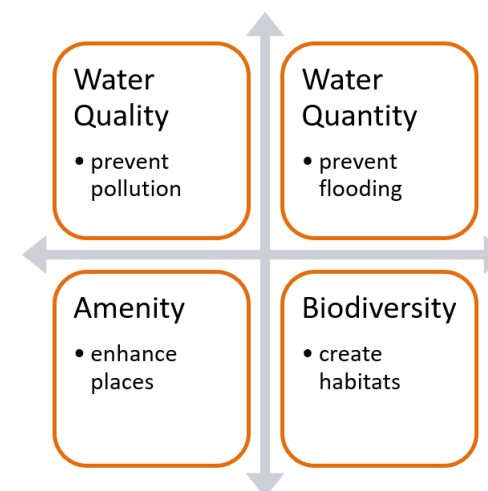
Ponds and basins provide the 'last line of defence', treating the remaining excess water on site. They should be well- integrated with the wider open space area and be functional as well as attractive to wildlife and people

Conveyance

Swales and channels can also act as conveyance, moving water between between different treatment stages.

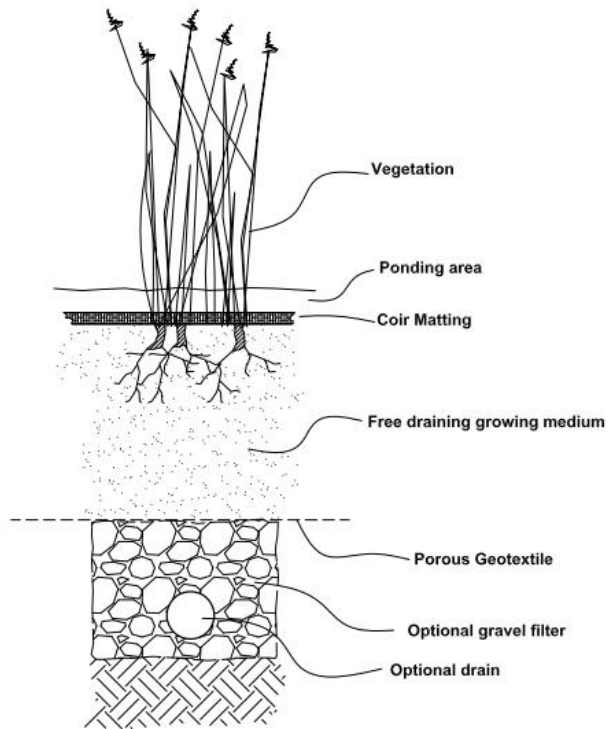
Benefits of providing a network rather than a single feature

- effective treatment of surface and rain water without the need for pipe network upgrades/installation
- reduced need for large features which require land take within the site
- provides attractive and well-connected places for people and wildlife
- raises the profile of developments and increases property values



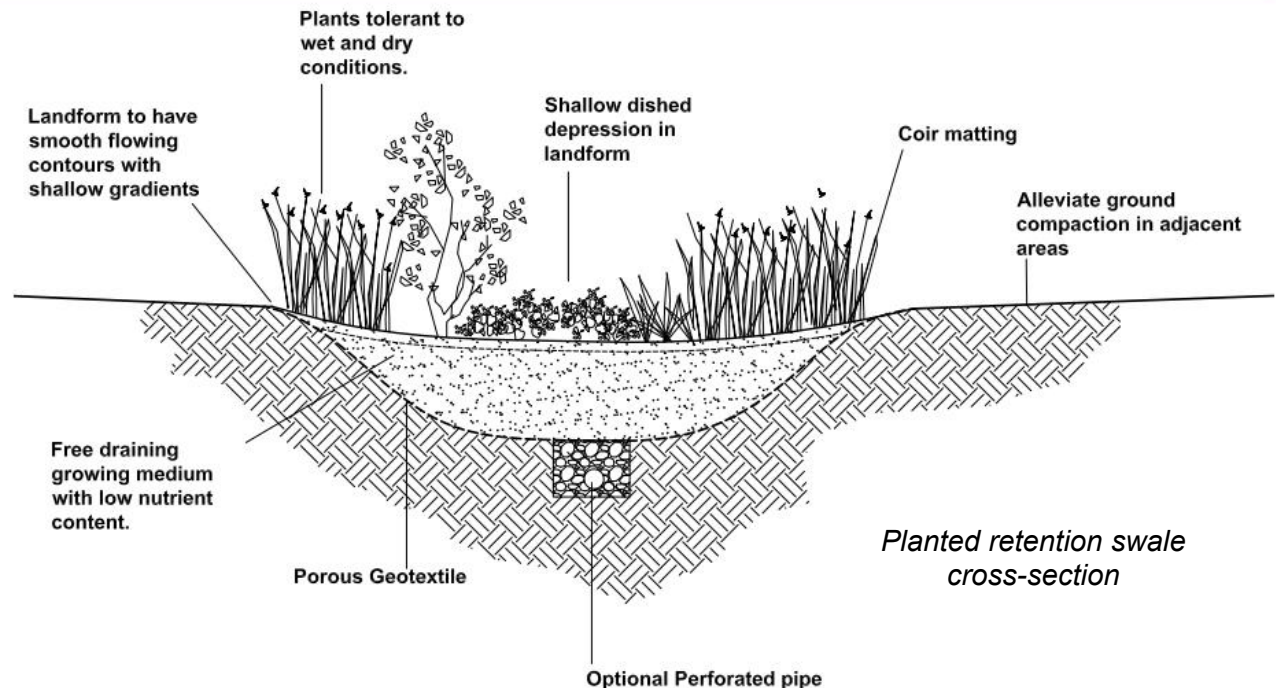
Bioretention features

Smaller SuDS features can be incorporated with open spaces as well as streets and can substitute traditional shrub beds and single function amenity planting. They typically consist of shallow depressions of different shapes and sizes that drain surface water runoff and encourage infiltrations into the ground. Bioretention features and rain gardens can be ideal solutions for compact, high density sites with limited space.



Typical bioretention cross-section

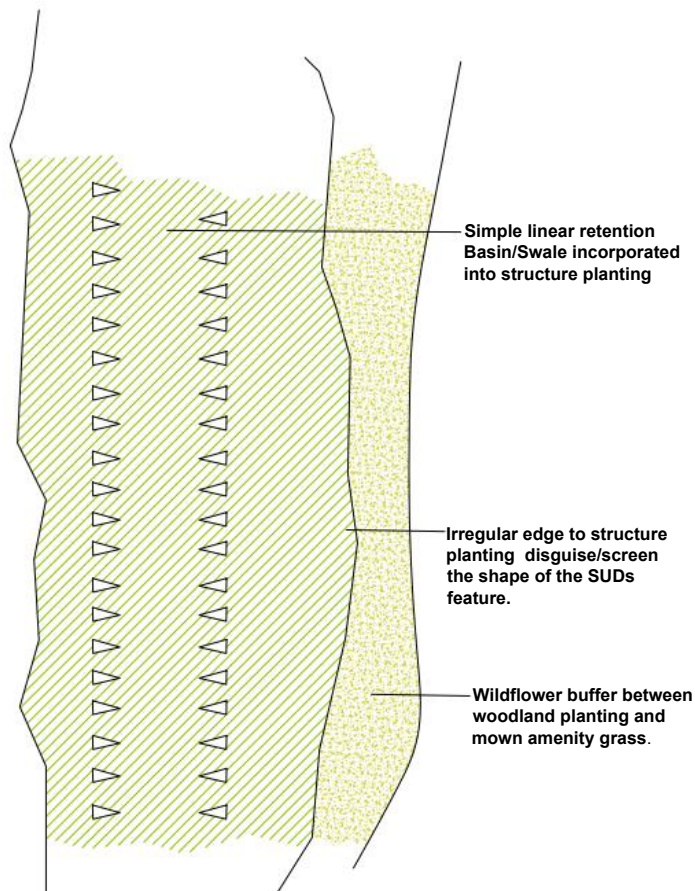
- Create smooth, flowing contours with shallow gradients that enable the water retention area to neatly tie into the adjacent landscape and aid maintenance
- Use coir matting to minimise weed growth, pegged to earthworks to prevent movement when the swale is flooded
- Chose plants tolerant to wet and dry conditions. Next to roads, salt tolerant planting should be considered to cope with salt run off/spray from winter roads maintenance. Nectar rich species should be included wherever possible to benefit wildlife.
- Use free draining growing medium with low nutrient content. This can be an 'engineered' sandy or gritty soil. Avoid peat, clay and silt based soils as they are not sufficiently porous and are high in nutrient content which will encourage unwanted weed growth
- A porous geotextile prevents soils from mixing and enables the easy replacement of the free draining soil layer when necessary.
- An optional perforated pipe connected to other SUDs and drainage infrastructure can be installed to prevent the bioretention / swale from becoming too full.



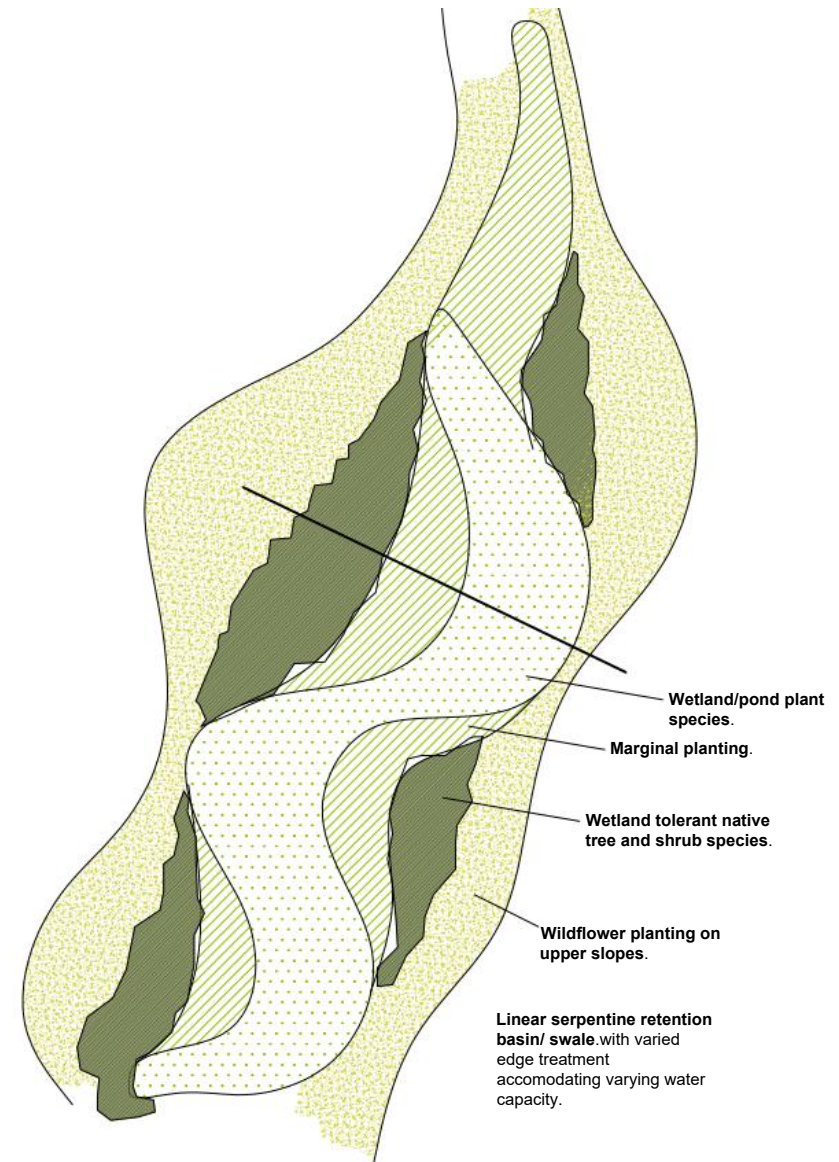
Planted retention swale cross-section

Linear Swales & Basins

Swales and basins can be various shapes and sizes and can be integrated with informal amenity areas. The drawings show linear and serpentine detention basins / swales which are ideal for narrow spaces such as linear open space corridors, road verges and structure planting on the edge of developments.



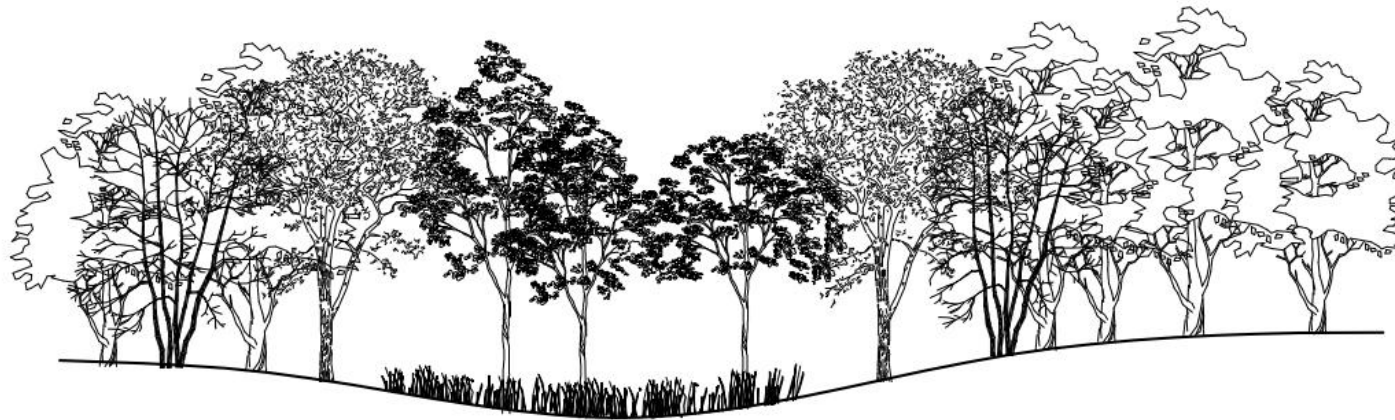
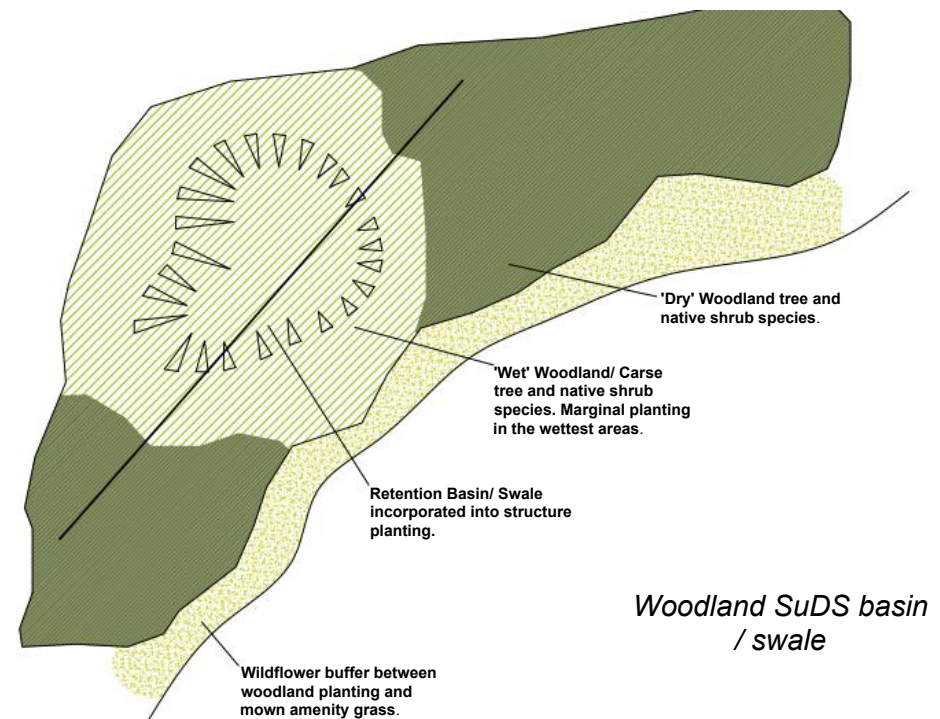
Simple, linear basin/swale



Serpentine basin/swale

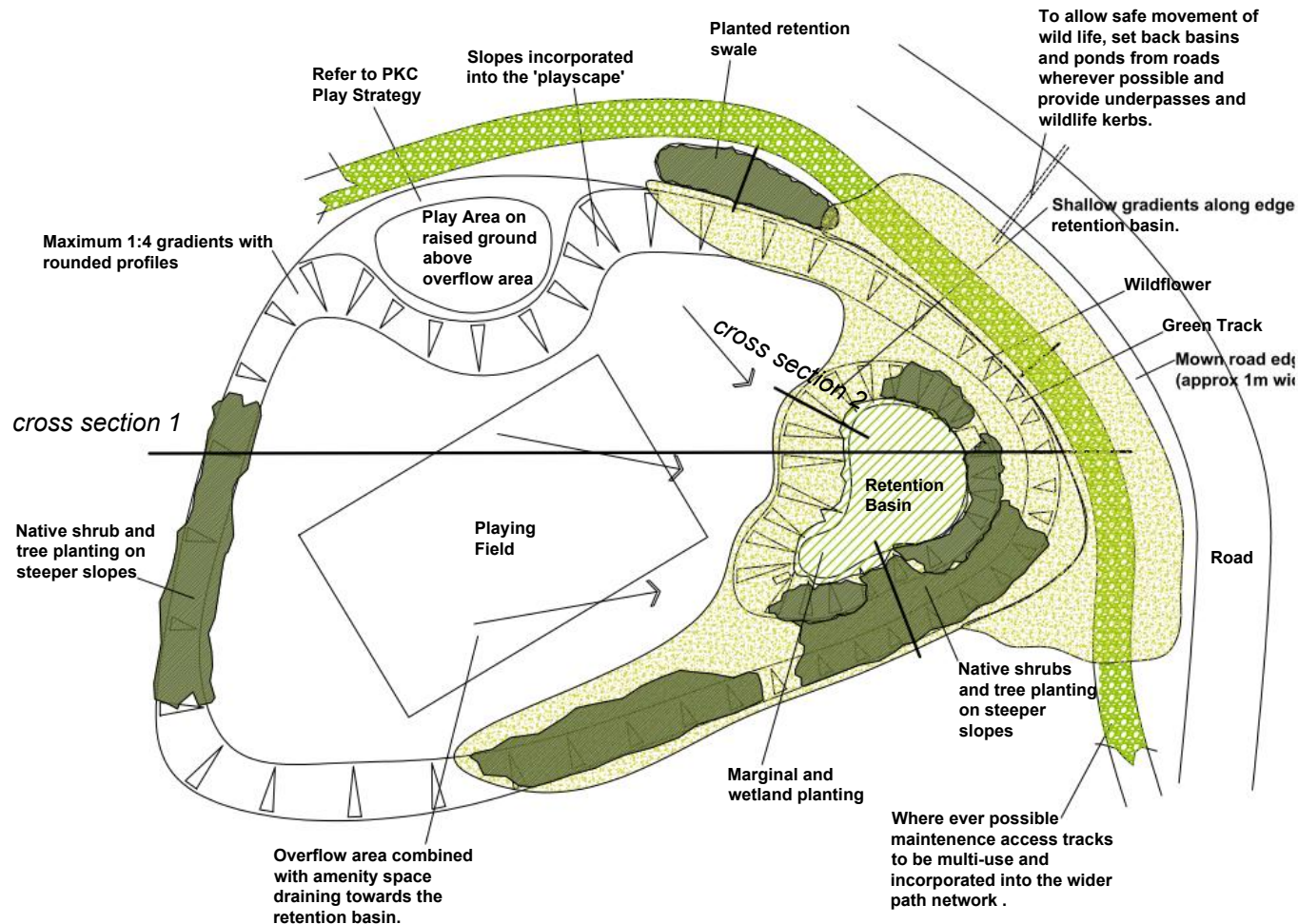
Woodland Swales/ Basins

Water retention areas can also be incorporated into landscape structure planting such as woodland habitats. The combination of 'wet' and 'dry' woodland increases biodiversity. Trees and under-storey species need to be tolerant of damp conditions (e.g. rushes, downy birch and willows).



Integrating Ponds & Basins with Recreational Areas

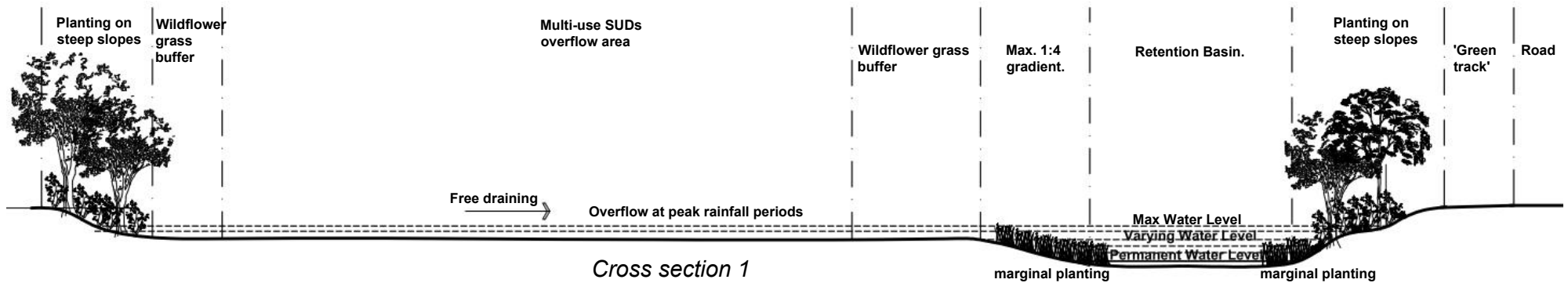
Ponds and basins should always form part of the wider green infrastructure of the site and deliver multiple benefits. The careful design of landscaped areas allows for accommodating excess water at times of high rainfall. When conditions are dry, overflow areas can be used for recreation. The incorporation of integrated SUDs systems throughout the development will help to reduce the size of the retention basin and overflow area and maximise the use of the available land.



Example public park / amenity space (see cross-sections on next page)

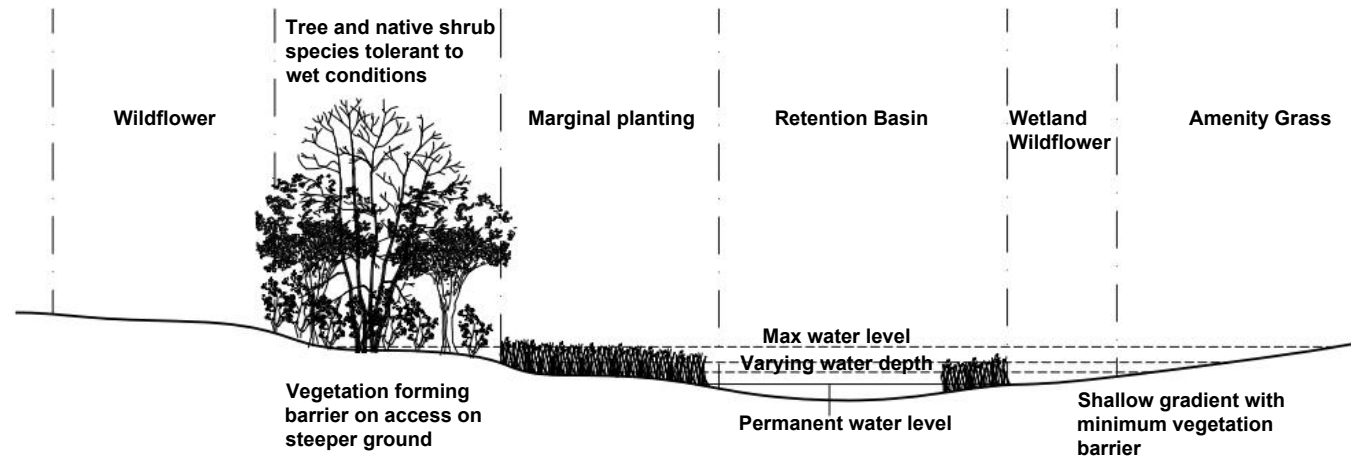
- For multi-use overflow area (e.g. playing field), the ground must have free draining soil to allow the area to be used and maintained when not storing excess water
- All cross-falls should lead towards the retention basin. Gradients must suit the amenity function of the overflow area
- Opportunity to increase habitat area with wildflower grass buffer between marginal planting and mown amenity grass
- Shallow gradients and rounded profile enable the banks to be maintained and enable easy access to/ from the basin. They help to merge the basin into the wider landscape and increased the scope for marginal planting
- Vegetation cover on steeper slopes to aid maintenance and create landscape structure
- To allow for the safe movement of wildlife, set back basins and ponds from roads wherever possible and provide underpasses and wildlife kerbs.

Cross-sections



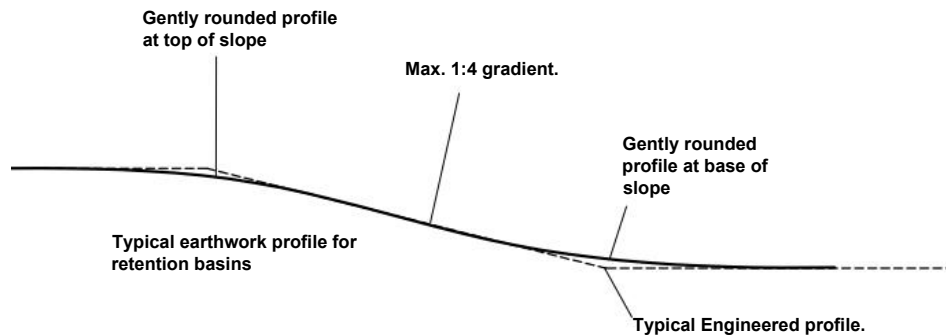
Well-illustrated cross sections help others understand how the proposed landscape will function. Drawings submitted as part of planning applications should differentiate:

- permanent water/pond and planted wetland areas
- various detention scenarios for the accessible green space,
- water conveyance flow directions and exceedance flow path



Slopes & Gradients

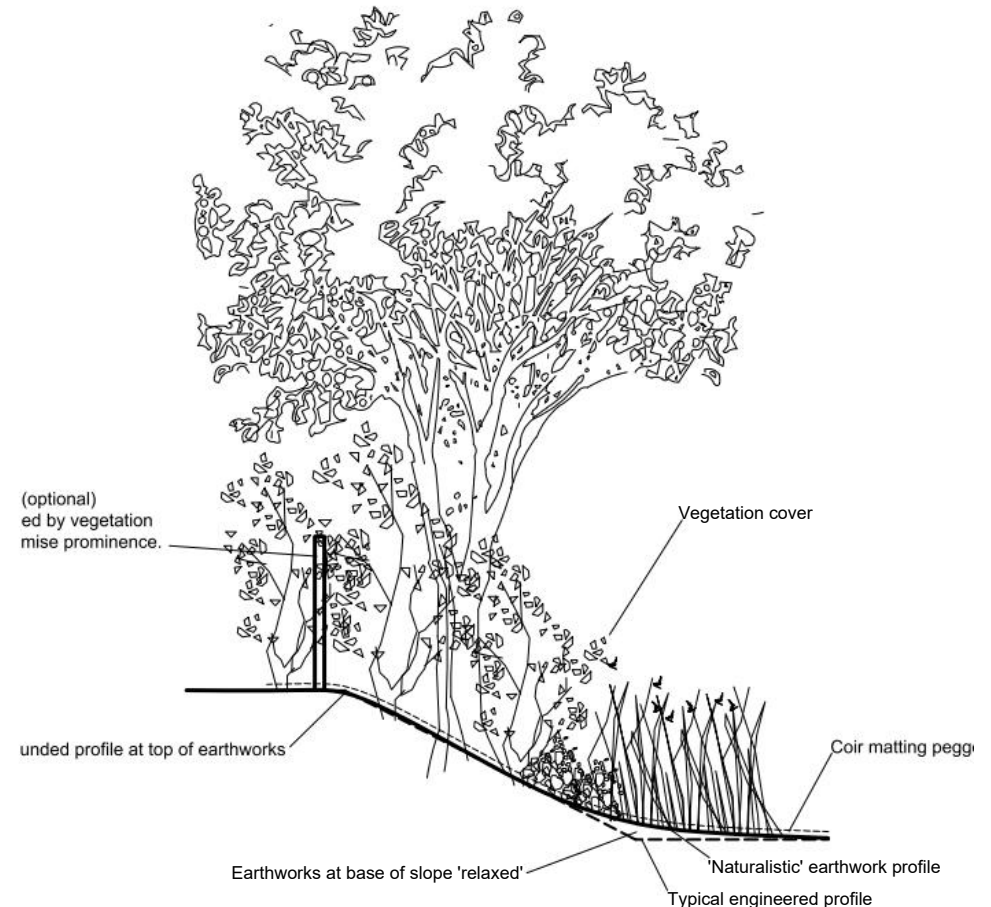
For most SuDS features, shallow gradients and multiple step edges are preferable as they can accommodate varying water levels, appear more natural and facilitate easy access for both wildlife and maintenance. The typical engineered profile should be avoided and slopes should be gently rounded. Where steeper gradients are unavoidable, they should be designed carefully, with appropriate vegetation cover and safety measures in place.



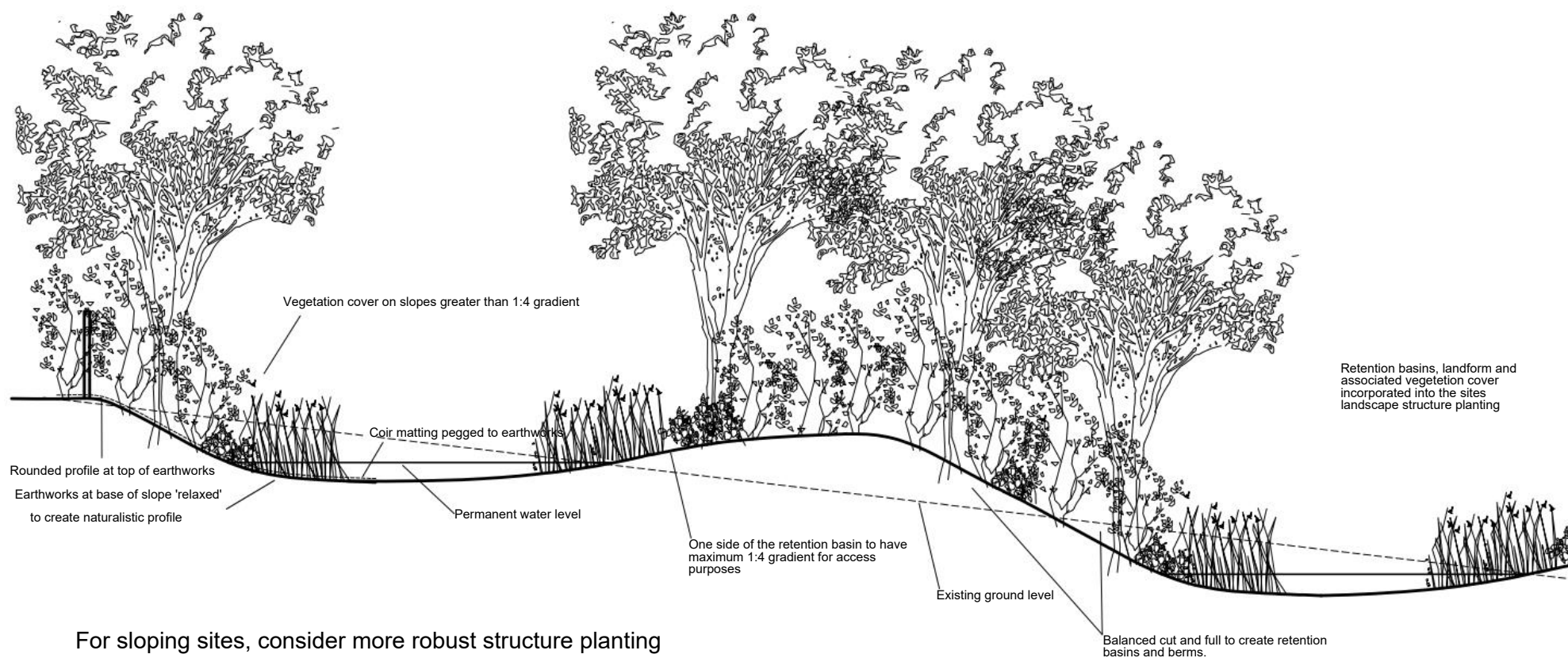
Ideal SuDS feature profile

Safety considerations

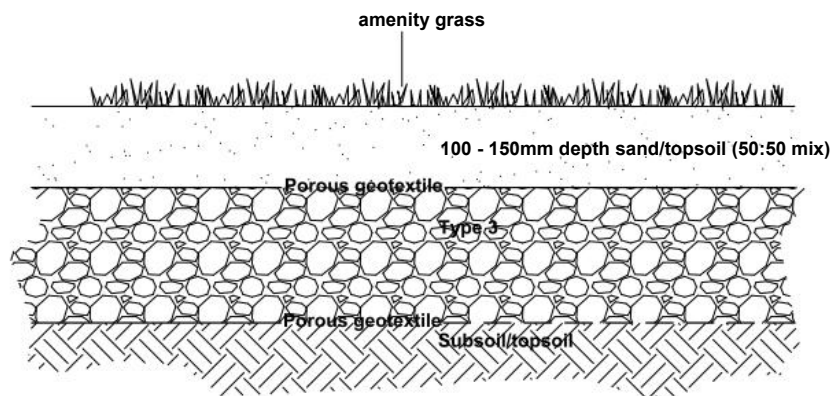
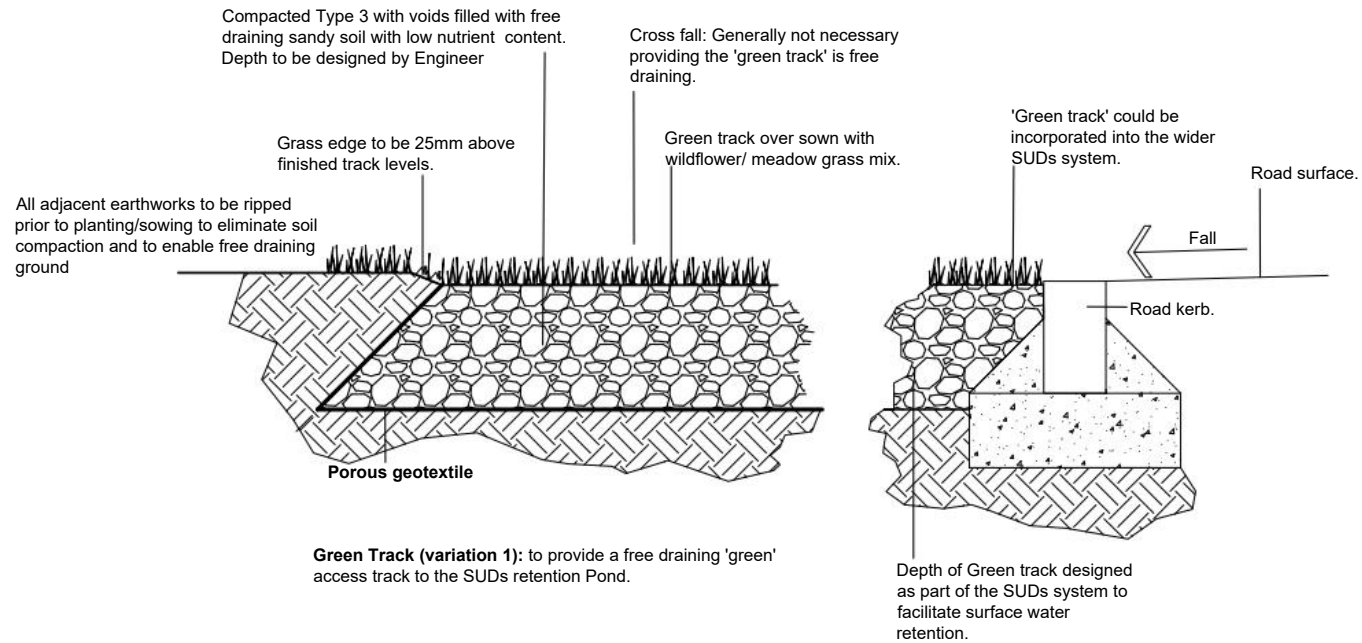
- Planting on the aquatic bench should effectively dissuade people from trying to get access to the open water and allow for clear visibility of the retention area
- Fencing, where absolutely necessary, should be low and unobtrusive and incorporated into planting
- Signage and interpretation should be unobvious and sympathetically designed rather than overly large.
- Proposals must comply with the [Council's Water Safety Policy](#) and [ROSPA guidelines](#)



Treatment for steeper gradients



For sloping sites, consider more robust structure planting and use species of different heights. Access points for maintenance can be provided on one side along, where the gradient is max 1:4.



Green access track profiles



Wildlife kerbs allow amphibians to bypass gully grids

Further guidance and Regulations

- Ciria Manual
- RSPB & WWT: Sustainable Drainage Systems
- Scottish Water Sewers for Scotland 4
- PKC Water Safety Policy
- ROSPA Guidelines
- PKC Flood Risk Guidance

Did you know?

Applicants can request a waiver from Scottish Water to allow for unconventional design solutions that do not accord with technical standards. Early engagement with Scottish Water and Perth and Kinross Council is recommended in all cases, especially in these scenarios.

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation

www.pkc.gov.uk (Local Development Plans Team - 475000



Flood Risk and Flood Risk Assessments

JANUARY 2021

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Introduction

1

Flooding is a natural phenomenon and many parts of Scotland have a legacy of development at risk of flooding from watercourses, the sea, groundwater and inadequate drainage. Research indicates that climate change will significantly increase the risk of flooding due to changes in precipitation and rising sea levels. Already, since the mid 1980s, Scotland has seen an increase in the number of floods and high flow levels on many rivers.

As a result of the increased risk of flooding, the **Scottish Government**  has developed a policy based on the principles of avoidance, awareness, assistance and alleviation. In June 2009, the Scottish Parliament enacted the **Flood Risk Management (Scotland) Act**  to implement the **European Directive 2007/60/EC (the Flood Directive)**  and modernise flood risk management in Scotland. The Act provides the framework for a sustainable and risk-based approach to flood risk management considering flooding from all sources. In June 2014, the Scottish Government published an update to **Scottish Planning Policy (SPP)** . This provides a national framework on which Perth & Kinross Council planning policy is based.

Planning can play an important part in reducing the vulnerability of existing and future development to flooding. This supplementary guidance document on flooding and drainage has therefore been prepared by **Perth & Kinross Council's**  (PKC) Flooding Team to inform developers, their consultants and all stakeholders involved in the planning process about the Council's requirements. It is based on other existing legislation, planning policy and technical guidance. Compliance with the guidance will serve to meet the requirements of SPP, the Council's **Local Development Plan**  (Policy 52: New Development and Flooding) and assists in the efficient processing of a developers' application.

Aim

2

This guidance document is intended as supplementary guidance for the area of Perth and Kinross in respect of existing national legislation and guidance regarding flooding and drainage (see list in **Section 4**). It also aims to encourage an increased awareness, understanding and knowledge of flooding and drainage issues for everyone involved in the development process, thereby making Perth and Kinross a safer place to live, work and visit.

This guidance document is not intended to replace the consultation that developers will require to initiate with Planning, the PKC Flooding Team and other consultees such as SEPA, SNH etc. Therefore, before submitting a planning application, developers are strongly advised to follow the chart in Section 6.14, read relevant documents detailed in Sections 4 before contacting the Council's Flooding TEam, SEPA, SNH and other relevant consultees. The Council holds information on historic flooding, flood studies, flood schemes, clearance and repair works, historic biennial flood prevention reports, Flood Risk Management Strategies, Local Flood Risk Management Plans etc. relevant to Perth and Kinross.

Background to Flooding

3

3.1 Responsibilities

3.1.1 Flooding is a natural phenomenon which can never be entirely prevented, although it can be managed to reduce its impact. Certain public bodies are expected to take a proactive role in managing and, where achievable, lowering overall flood risk, however the main responsibility for avoiding or managing flood risk still lies with land and property owners. It is long established that a property owner should take responsibility for the safety and security of their property, which includes a right to take steps to reduce the risk of flooding.

3.1.2 Under Common Law landowners:

- *must accept water from upstream;*
- *have the right to protect their own property;*
- *should not make the situation (flooding) worse for others;*
- *must undertake maintenance of watercourses on their property.*

3.2 Legislation

3.2.1 Flooding and drainage is covered by the legislation and policies outlined in the general summary below.





3.2.1.1 Flood Risk Management (Scotland) Act 2009

*The Scottish Parliament enacted the **Flood Risk Management (Scotland) Act 2009** [e](#) to implement the **European Directive 2007/60/EC** [e](#) (the Flood Directive) to modernise flood risk management in Scotland. The Act provides the framework for an integrated catchment-wide, sustainable and risk-based approach to flood risk management considering flooding from all sources. The Act identifies the roles and functions of the responsible parties with a view to reducing overall flood risk.*


The main roles and responsibilities for PKC under the Act are:

- *Map relevant bodies of water and Sustainable Urban Drainage Systems: PKC is continuing with the process of adding Sustainable Urban Drainage Systems into a GIS database and adding them to the map of water bodies.*
- *Assess bodies of water from time to time for the purpose of ascertaining whether the*

condition of any such body of water gives rise to a risk of flooding of land within or out with its area (this does not remove the landowners common law responsibility).


- *Where a body of water gives rise to such a risk, the authority shall prepare a **schedule of clearance and repair works**  and carry out those works out (The authority will try to contact the landowner in the first instance to remove the defect/blockage).*
- *Assist SEPA in preparing the **national flood risk assessment, flood hazard and risk maps**  and **flood risk management strategies**  (published in December 2015 and every 6 years thereafter).*
- *Prepare **local flood risk management plans**  (published in June 2016 and every 6 years thereafter).*

3.2.1.2 Scottish Planning Policy (SPP)

Scottish Planning Policy (SPP)  sets out national planning policies which reflect the Scottish Ministers' priorities for operation of the planning system and for the development and use of land. In particular, SPP states planning authorities must consider flooding from all sources and the risks involved when preparing development plans and determining planning applications. A grant of planning permission does not imply that there is an

absence of flood risk. Developers must take flood risk into account and the ability of future occupiers to insure development before committing themselves to a site or project, as applicants and occupiers have ultimate responsibility for safeguarding their property.

3.2.1.3 Water Environment Water Services (Scotland) Act 2003 (WEWS Act)

The **WEWS Act**  gave Scottish Ministers powers to introduce regulatory controls over water activities, in order to protect, improve and promote the sustainable use of Scotland's water environment. This includes wetlands, rivers, lochs, transitional waters (estuaries), coastal waters and groundwater.

3.2.1.4 Water Environment Controlled Activities (Scotland) Regulations 2011 (as amended)

*These regulations are more commonly known as the **Controlled Activity Regulations (CAR)** .*
*If you intend to carry out any activity which may affect Scotland's water environment, you must be authorised by **SEPA**  to do so.*

3.3 Role of Local Authority Regarding Flooding and Drainage

3.3.1 Roads Authority

The Roads (Scotland) Act 1984  gives local authorities powers and duties with regards to public roads. Of particular relevance are:

- *Manage and maintain all roads in their area which includes draining roads and keeping drains clear.*
- *Contribute towards the costs of drainage works which appear to them desirable for protection or enjoyment of a public road.*
- *There is a duty on owners and occupiers of land adjacent to a road to prevent water or dirt from flowing onto or across the public road.*

3.3.2 Responsible Authority Under the Flood Risk Management (Scotland) Act

PKC have duties and powers to manage and, where achievable, reduce flood risk in their area. The Flood Risk Management (Scotland) Act 2009, briefly summarised in **Section 3.2.1.1**, outlines the duties of the Local Authority.

However, flooding is a natural phenomenon and as such the main responsibility for reducing flood risk still lies with the owner of the affected property.

3.3.3 Planning Authority

The planning system is used to make decisions about future development, and the use of land in our towns, cities and countryside. It decides where development should happen, where it should not and how development affects its surroundings. PKC, as Planning Authority, has a role in checking the adequacy or otherwise of a development in terms of flooding from all sources (ie surface water, river flooding, coastal flooding, groundwater), the application of climate change and to inform the Developer when a flood risk assessment and/or drainage impact assessment are required. SPP provides the framework in which to carry out these duties - refer to **Section 3.2.1.2**.

3.4 Types of Flooding¹

3.4.1 Developers must consider all sources of flooding when assessing flood risk at a site. The various types of flooding are generally defined as follows.

3.4.2 Fluvial - flooding originating from a watercourse (either natural or culverted). This is normally caused when the river channel capacity (or culvert capacity) is exceeded and water flows out-of-bank onto the floodplain, which could either be natural floodplain or developed. A floodplain is the area(s) of land adjacent to a watercourse where floodwaters naturally flow and/or are stored during times of flood. In some instances fluvial flooding can occur from a combination of several local watercourses.

¹ **SEPA - Technical Flood Risk Guidance for Stakeholders** 

3.4.3 Coastal - flooding originating from the sea (open coast or estuary) where water levels exceed the normal tidal range and flood onto the low-lying areas that define the coast line. This coastal plain could be either natural or developed. Coastal flooding can occur due to four physical elements (as outlined below) either acting on their own or in combination with each other:

- **Predicted astronomical tide:** *expected sea level due to the gravitational effects of the sun and the moon.*
- **Storm surge residual:** *elevated sea level caused by the combined effect of low pressure and persistent, strong wind (for every millibar drop in pressure, a 10mm rise in the sea surface elevation occurs).*
- **Wave effects:** *a function of both wind strength and open water 'fetch' length. As a result of high winds, waves can also be associated with low pressure systems which cause storm surge effects as described above.*
- **Local bathymetric effects:** *topographic funnelling due to the forcing of a large volume of open sea water into a restricted coastal embayment, eg estuary (Firth of Tay), tidal basin (Montrose Basin) or sea loch (Loch Fyne), which will elevate water levels locally.*

3.4.4 Pluvial - urban or rural flooding which results from rainfall-generated overland flow before the run-off enters any watercourse, drainage system or sewer.

3.4.5 Groundwater - flooding due to a significant rise in the water table, normally as a result of prolonged and heavy rainfall over a sustained period of time (can affect cellars and drainage systems). Normally associated with catchments where porous substrate and/or aquifers exist. This type of flooding can last for a considerable period of time, ie weeks, months.

3.4.6 Drainage - flooding as a result of surcharging of man-made drainage systems including combined sewers where the capacity of the system to convey run-off has been exceeded.

3.4.7 Infrastructure Failure - flooding due to collapse/failure of man-made infrastructure including hydro-dams, water supply reservoirs (private or public), canals, flood defence structures, underground conduits (eg sewers) and water treatment tanks.

3.4.8 Note that flooding may occur due to a combination of more than one type of flood process (eg fluvial and coastal flooding). In these circumstances please contact the PKC Flooding Team to discuss the implications and any additional work required.

3.5 Flood Probability

- 3.5.1** The annual probability (AP) of flooding is the statistical chance (or risk) that a location will flood in any given year and relates to a particular size or magnitude of flood, eg the 0.5% AP (200-year) flood event is smaller in size than the 0.1% AP (1,000-year) flood event (although a 0.5% AP flood event will occur more frequently than a 0.1% AP flood event).
- 3.5.2** For any given location, the 0.5% AP (200-year) flood event should (in theory) affect a smaller spatial area, or, will inundate the same area to a lesser depth (if the floodplain is constricted by topography), than the larger 0.1% AP (1,000-year) flood event. The chance of experiencing the larger 0.1% AP flood event, however, is smaller as explained below.
- 3.5.3** For the same location, the 0.5% AP flood event can be expressed as *‘the flood which has a 0.5% chance of occurring in any given year’* (ie there is a 1 in 200 chance of experiencing a flood of that size, at that location); also referred to as the 200-year flood or the flood with a return period of 200-years.
- 3.5.4** However, it does not follow that if a location suffers the 0.5% AP flood event this year, it will not be flooded again to this extent for 199 years. Statistically, the chance or probability of experiencing the 0.5% AP flood event remains the same in any given year. Furthermore, it also does not follow that over any 200-year period, the 0.5% AP (200-year) flood event will definitely be experienced. Statistically, the chance of experiencing the 200-year flood event within a 200-year


period is 63% (see Table 1 opposite).

Table 1: Probability of Experiencing a Range of Flood Events Over Different Time Periods (Design Life)

Design Life (Years)	Return Period (Annual Probability)			
	50 (2.0% AP)	100 (1.0% AP)	200 (0.5% AP)	1,000 (0.1% AP)
1	2	1	0.5	0.1
10	18	10	5	1
20	33	18	10	2
50	64	39	22	5
70	76	50	30	7
100	87	63	39	10
200	98	87	63	18

- 3.5.5** Flooding is likely to increase due to climate change. In general terms this is likely to result in an increase in the probability of occurrence and severity of storm events. Estimates of flood probability are generally based on the current situation and therefore do not take into account the potential impact of future climate change. Hence there is a need to add an additional allowance for the potential impact of climate change as detailed overleaf.

3.6 Climate Change

- 3.6.1** Climate change is happening and there is mounting evidence of fundamental alterations to the key elements of our climate system as a result of human activities. Left unchecked these changes will accelerate, with significant consequences for our environment, economy and society.
- 3.6.2** The pace and signs of climate change vary across the globe, but eventually everyone will either be directly or indirectly affected. Flooding and drought are obvious direct threats and can have indirect impacts, such as higher food prices as a result of crop damage.
- 3.6.3** In Scotland, climate change is evident from observed changes in temperature, rainfall and snow cover. These changes are causing significant shifts in the growing, breeding and migration seasons, as well as species abundance and diversity. Higher river flows are leading to an increased risk of flooding and sea level rise is causing coastal erosion.
- 3.6.4** Left unchecked, climate change will accelerate. Therefore, the Council is committed to tackling climate change through our duties under the **Flood Risk Management (Scotland) Act 2009**  and expects developers to reduce and account for the effects of climate change through more sustainable approaches to flood management (such as sustainable drainage techniques and natural flood management) in order to minimise the burden for future generations.

Design Guidance

4

4.1 Introduction

This section lists the main legislation, policy and technical guidance that PKC expects developers and their consultants to follow when preparing a Drainage Impact Assessment (DIA), Flood Risk Assessment (FRA), the design of Sustainable Drainage Systems (SuDS) and other drainage infrastructure. The list below is not exhaustive, and developers must ensure that all guidance and other relevant documentation are clearly referenced in their submissions.

Many of these documents are subject to frequent revision, and developers must ensure that they are using the current versions.

4.2 Scottish Government

Flood Risk Management (Scotland) Act 2009 [🔗](#)

Scottish Planning Policy, 2014 [🔗](#)

Online Planning Advice on Flood Risk [🔗](#)

Planning Advice Note 51: Planning, Environmental Protection and Regulation [🔗](#)

Planning Advice Note 61: Planning and Sustainable Urban Drainage Systems² [🔗](#)

Planning Advice Note 79: Water and Drainage² [🔗](#)

The Water Environment and Water Services (Scotland)

Act 2003 [🔗](#)

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) [🔗](#)

Roads (Scotland) Act 1984 [🔗](#)

Planning etc (Scotland) Act 2006 [🔗](#)

Green Infrastructure: Design and Placemaking [🔗](#)

Delivering Sustainable Flood Risk Management (Second Edition - Feb 2019) [🔗](#)

Surface Water Management Planning Guidance (Second Edition September 2018) [🔗](#)

Surface Water Management Planning - A quick Start Guide (September 2018) [🔗](#)

4.3 Scottish Environment Protection Agency (SEPA)

SEPA Policy No 41: Development at Risk of Flooding: Advice and Consultations [🔗](#)

SEPA Technical Flood Risk Guidance for Stakeholders [🔗](#)

SEPA Flood Risk Assessment Checklist [🔗](#)

SEPA Strategic Flood Risk Assessment: SEPA Technical Guidance to Support Development Planning [🔗](#)

SEPA Indicative Flood Maps [🔗](#)

Reservoir Inundation Map [🔗](#)

SEPA Water Level Data [🔗](#)

SEPA advice on Sustainable Drainage Systems (SuDS) [🔗](#)

² Note: Planning Advice Note 61 and 79 are in the process of being consolidated into one document.

Climate Change Allowance for Flood Risk Assessment in Land Use Planning [🔗](#)

Guidance for Pollution Prevention (formerly PPGs) [🔗](#)

Construction Site Licence [🔗](#)

Development Plan Guidance [🔗](#)

Standing Advice for Planning Authorities and Developers on Development Management Consultations [🔗](#)

Planning Background Paper: Flood Risk [🔗](#)

Natural Flood Management Handbook [🔗](#)

Other Guidance [🔗](#)

4.4 SuDS Working Party

Water Assessment and Drainage Assessment Guide [🔗](#)

4.5 Susdrain

Range of Resources Regarding SuDS [🔗](#)

4.6 Construction Industry Research and Information Association (CIRIA)

CIRIA C532: Control of Water Pollution From Construction Sites - Guidance for Consultants and Contractors [🔗](#)

CIRIA C582: Source Control Using Constructed Pervious Surfaces. Hydraulic, Structural and Water Quality Performance Issues [🔗](#)

CIRIA C609: Sustainable Drainage Systems. Hydraulic, Structural and Water Quality Advice [🔗](#)

CIRIA C624: Development and Flood Risk - Guidance for the Construction Industry [🔗](#)

CIRIA C625: Model Agreements for Sustainable Water Management Systems [🔗](#)

CIRIA C635: Designing for Exceedance in Urban Drainage - Good Practice [🔗](#)

CIRIA C680: Structural Designs of Modular Geocellular Drainage Tanks [🔗](#)

CIRIA C687: Planning for SuDS - Making it Happen [🔗](#)

CIRIA C688: Flood Resilience and Resistance for Critical Infrastructure [🔗](#)

CIRIA C689: Culvert Design and Operation Guide [🔗](#)

CIRIA C698: Site Handbook for the Construction of SuDS [🔗](#)

CIRIA C713: Retrofitting to Manage Surface Water [🔗](#)

CIRIA C720: Culvert Design and Operation Guide: Supplementary Technical Note on Understanding Blockage Risks [🔗](#)

CIRIA C753: The SuDS Manual [🔗](#)

CIRIA C762: Environmental Good Practice on Site - Pocket Book [🔗](#)

CIRIA R156: Infiltration Drainage - Manual of Good Practice [🔗](#)

4.7 Scottish Water

Sewers for Scotland 4th Edition [🔗](#)

4.8 Other

BRE Digest 365 Soakaway Design (2016) [🔗](#)

BRE Digest 523 Flood-Resilient Building: Parts 1 and 2 [🔗](#)

DEFRA - Flood Risk Assessment Guidance for New Development [🔗](#)

UKCP18 [🔗](#)

DEFRA FCDPAG3 October 2006 Supplementary Note on Climate Change Impacts [🔗](#)

TAYplan [🔗](#)

Perth and Kinross Local Development Plan (2019) [🔗](#)

Perth and Kinross Local Development Plan (2019) [🔗](#)

Supplementary Guidance

BS EN 1610: 2015 Construction and Testing of Drains and Sewers [🔗](#)

Institute of Hydrology Report 124 [🔗](#)

Flood Estimation Handbook [🔗](#)

SuDS for Roads [🔗](#)

SUDS for Roads Whole Life Costs Tool [🔗](#)

Design Manual for Roads and Bridges [🔗](#)

Dynamic Coast [🔗](#)

Manual of Contract Document for Highway Works [🔗](#)

Drainage Impact Assessment

5.1 Introduction

- 5.1.1 This section provides guidance on the requirements for the preparation and submission of a drainage impact assessment (DIA) for new developments.
- 5.1.2 The planning system aims to prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere.
- 5.1.3 Drainage is a material consideration at the planning stage of a development and due consideration must be given to the impact of the proposed development on the catchment area. This includes an assessment of potential for both flood risk and pollution.
- 5.1.4 Submission of a DIA with all the information required will accelerate consideration of the planning application. Failure to demonstrate that satisfactory means of waste water and/or surface water drainage can be provided may lead to refusal of planning permission.
- 5.1.5 A DIA is site specific and should deal with waste water and surface water drainage. The latter should be drained

according to the principles of SuDS, refer to **Section 7**.

- 5.1.6 Where the development is to be phased, constructed at different stages or by different developers, a strategic drainage plan covering the whole area of the development should be submitted at outline planning stage.
- 5.1.7 Where the development will lead to the production of waste water, a DIA must include a section on waste water.

5.2 Does the Development Require a DIA?

- 5.2.1 Most developments will require a DIA to be submitted as part of the planning process. The extent of a DIA will be dependent on the size and complexity of the Development. For large developments where there is an intention to separate the development into zones which will potentially be constructed at different stages or by different developers, a drainage masterplan covering the whole of the development will be required.
- 5.2.2 The following categories of development will not require a DIA, but the best available option for waste water and surface water drainage is still expected to be demonstrated:
 - 1 *Developments with a total proposed impermeable surface area of less than 1,000m² unless the development may affect sensitive areas*.*
 - 2 *Extension of building or hardstanding area under 100 square metres.*
 - 3 *Changes of use not involving new buildings or hard*

surfacing.

- 4 *Where the submission forms part of a larger development for which a DIA has already been accepted. However, for completeness the original DIA should accompany the DIA for that specific phase.*

*Sensitive areas include:

- a *areas where there is no available public sewer;*
- b *areas affected by flooding;*
- c *areas with high water table problems;*
- d *flood sensitive receiving watercourse with no capacity for additional flow (eg Perth Town Lade);*
- e *areas surrounding Fisheries, ie local fish farms;*
- f *areas within or upstream (within 1km) of a conservation site designated under national or international legislation, for example a Site of Special Scientific Interest (SSSI); and*
- g *contaminated Land.*

- 5.2.3 In the event that you are unsure as to whether a DIA is required or whether your development affects any of the sensitive areas please contact the Flooding Team for clarification, refer to **Section 10** for contact details.

5.3 What Should a DIA Include?

5.3.1 Planning Permission in Principle

Planning Permission in Principle will require a brief overview of the proposed development site drainage arrangements, associated issues and include the following:

- i *Drawings showing the development site in relation to the natural surface water run-off catchment or sub-catchment areas, including contour plans and details of the existing receiving watercourses and surface water drainage.*
- ii *A statement identifying which, if any, of the receiving drains and watercourses are historically prone to flooding in any part of their length.*
- iii *Sufficient information on the restriction of post development surface water forward flow, basic catchment areas, pervious and impervious areas ratio, proposed methods of attenuation and indicative SuDS details, in order that a Strategic Drainage Plan or a local drainage proposal can be agreed in principle.*
- iv Completed **Appendix B**.

5.3.2 Full Planning Applications

A full DIA should include all information relating to the design, construction, operation and maintenance of the proposed drainage infrastructure. In particular:

5.3.2.1 Background Data

- 1 *Background to the existing drainage infrastructure, including a drawing (1:1250) detailing the size, percentage of impermeable area, type, level and rough gradient of each drainage infrastructure (field drains should be incorporated where possible). Photographs are recommended to record details of key site features/water-related structures (bridges, culverts, riverbanks, ditches, ponds, existing flood protection measures, existing SuDS, etc) and provide an assessment of their condition.*
- 2 *A brief summary of how the drainage design provides SuDS techniques in accordance with current design guidance.*

5.3.2.2 Supporting Text

- 1 *The size of the Development and percentage of impervious surfaces (including an additional 10% for future expansion).*
- 2 *The soil classification for the site including*

test results and, specifically, details of any site contamination.

- 3 *Subsoil porosity test for proposed infiltration devices should be undertaken in line with the requirements of BRE Digest 365 or similar recognised methodology (to be confirmed by the Developer). Note: subsoil porosity tests must be undertaken as close as possible to the proposed location of each proposed infiltration device/component to ensure that the results are representative. If a porosity test is deemed by PKC to be too remote from the proposed location, the test will require to be re-done.*
- 4 *Summary of SuDS to be incorporated and how the system will perform and operate including suitability (or not) for future development connections. The summary of SuDS should include comment on the interaction with any contaminated soil present on the site during the construction and operation of the SuDS.*
- 5 *Assessment of flood risk including consideration of the overland flow route back to the receiving watercourse for up to the 0.5% AP (200-year) plus climate change flood event showing no detriment to land or property as a result of overland flow. The 0.5% AP (200-year) plus climate change flood event must be a minimum of 300mm from the lowest garden ground level ³ and 600mm from property finished floor levels (FFL).*

³ *It is acknowledged that in certain circumstances 300mm freeboard for garden ground may not be achievable and early consultation and agreement with the Flooding Team is recommended.*

- 6 A method statement detailing how water arising during construction will be dealt with (refer CIRIA publication C532 Control of water pollution from construction sites. Guidance for consultants and contractors), with particular reference to erosion prevention, sediment and run-off control and pollution prevention in order to ensure the integrity and satisfactory performance of SuDS. The use of completed SuDS for this purpose will not be accepted.
- 7 Copies of plans from Scottish Water confirming the location of the nearest public sewers and signed correspondence confirming their availability for servicing the development. This shall clearly state agreed flow rates for waste water and surface water as applicable.
- 8 Where applicable (on large developments) a copy of a letter from SEPA to obtain a CAR license for the discharge of surface water to the water environment.

5.3.2.3 Calculations ⁴

- 1 Drainage network calculations for various durations (minimum of 15, 30, 60, 120, 240, 360, 480, 960, 1,440min) at the following return periods 1-year, 30-year, 100-year and 200-year.
- 2 Calculations demonstrating the attenuation required so that the post-development run-off

⁴ It is acknowledged that the requirement for fully detailed drainage calculations (Section 5.3.5) at full planning application stage is not always appropriate. Therefore, the developer should approach the Flooding Team to discuss the level of detail required to properly assess the application. Outline design calculations will be required as a minimum.

volume does not exceed that for pre-development for the critical rainfall events (refer to **Section 7.6**).

- 3 Calculations demonstrating the pre-development peak run-off flow rate for the critical rainfall event for 3.33% AP (30-year), 1% AP (100-year) and 0.5% AP (200-year) and for post-development peak run-off flow rate for the critical rainfall event for 3.33% AP (30-year), 1% AP (100-year) and 0.5% AP (200-year), including 30% ⁵ for climate change (eg post-development for 0.5% AP (200-year) with Climate Change to be attenuated to pre development for 0.5% AP (200-year) with Climate Change). If using software, a USBD containing all input and results files with a Word document summarising the contents of each file should be included.
- 4 Calculation of the treatment volume (V_t) and required multiples thereof and demonstration that the level of treatment and available treatment volume in the SuDS is adequate. Swales as conveyance systems contribute to the total V_t .
- 5 Calculations for the outlet control for attenuation structures and/or SuDS treatment facilities, along with manufacturers' data for proprietary controls.
- 6 To aid review and understanding, all calculations should be suitably annotated to provide descriptive text of the logic, reasoning and methodology utilised. The origin of all formulae

⁵ As required under Scottish Water's 'Sewers for Scotland 4th edition'.

should be identified. All assumptions should be clearly stated with reference to their origin. All units should be clearly stated.

5.3.2.4 Drawings

- 1** *Detailed scale drawing/s showing the development proposals at a scale of 1:1250.*
- 2** *Detailed scale drawing/s showing the development waste water and surface water drainage proposals at a scale of 1:1250 or 1:500 where complex.*

5.3.2.5 Maintenance

- 1** *Details of in-principle maintenance responsibilities including copies of relevant correspondence (ie with Perth & Kinross Council, Scottish Water or a proposed factor). Where a factor is proposed to take on the maintenance responsibility, the developer should provide contact details of the proposed factor. The Council and Scottish Water have adopted the principles set out in a national Memorandum of Understanding for the joint maintenance of surface water drainage systems and SuDS in new housing developments under Section 7 of the Sewerage (Scotland) Act 1968. Therefore, an individual Section 7 agreement will be required for the future adoption and maintenance of SuDS on such sites. Refer to Section 7.3.8.*
- 2** *Responsibility for maintenance of SuDS within*

property boundaries rests with the property owner. Developers shall provide confirmation on how they intend to make homeowners aware of the burden of responsibility (title deeds/design drawings/maintenance schedule) and whether there will be an allowance for setting up factoring arrangements to manage maintenance.

- 3** *A maintenance schedule for all proposed SuDS, to include a detailed list of activities and timescales.*

5.3.2.6 Health & Safety

- 1** *Risk assessments for SuDS facilities and attenuation structures which have permanent or temporary opening and a water of a depth that could pose a risk to health and safety.*

5.3.2.7 General

- 1** *All documents, drawings and calculations should clearly state a reference title, number and version to ensure that appropriate version control is applied and to provide ease of reference through any subsequent necessary revisions.*
- 2** *All documents, drawings and calculations should show evidence of appropriate check, review and approval prior to issue. All levels should be related to Ordnance Datum Newlyn.*
- 3** *Completed **Appendix B**.*

Please note, this list is not exhaustive and additional information may be requested as required.

5.3.2.8 IMPORTANT INFORMATION

Important Information

In the event that the Development is approved, the Flooding Team require a copy of the Health & Safety File on completion of the Maintenance Period. The Health & Safety File should incorporate as a minimum:

- 1 *Risk Assessments***
- 2 *Maintenance Schedules***
- 3 *Up-to-date Full CCTV Survey of System***
- 4 *As-Built Drawings***
- 5 *Maintenance Procedures***

The above information is required in order that PKC can comply with the Flood Risk Management (Scotland) Act 2009.

Failure to provide the above information may delay or prevent the adoption of your development.

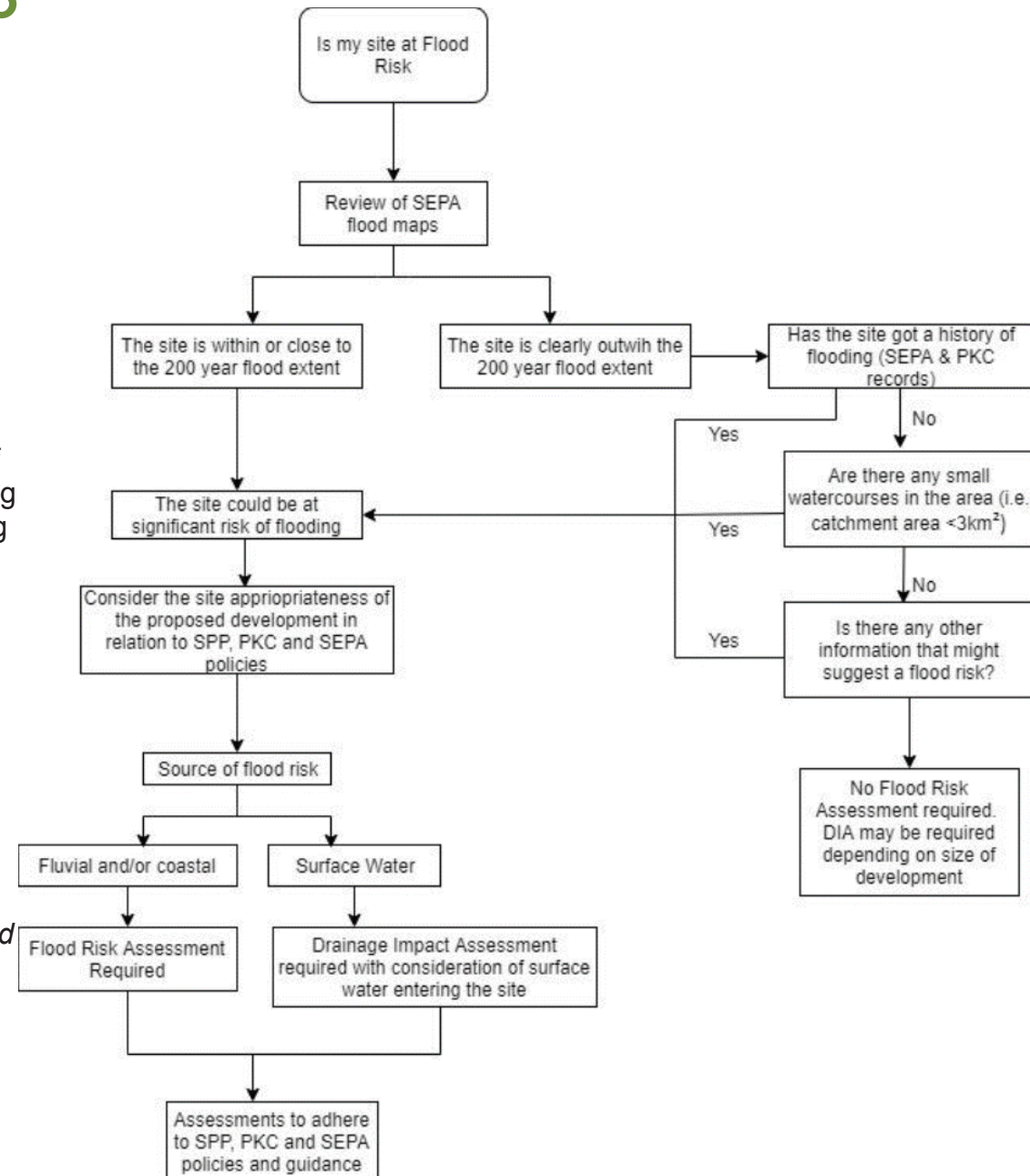
Flood Risk Assessment

6


6.1.4 Figure 1: Flood Risk Assessment Flow Chart © PKC

6.1 When is a Flood Risk Assessment (FRA) Required?

- 6.1.1** The planning system aims to prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain shall also be avoided given the cumulative effects of reducing storage capacity.
- 6.1.2** Flooding is a material consideration at the planning stage of a development and is required from the outset (ie at planning permission in-principle stage). The Flood Risk and Planning Flow Chart, see Figure 1 opposite, illustrates when a FRA is required. Should a developer be unclear as to whether a FRA is required, then contact should be made with the Flooding Team for clarification, refer to **Section 10**.
- 6.1.3** In addition, a FRA is also required in the following circumstances:
- 1 Construction of a new watercourse.
 - 2 Construction of a structure over or adjacent to a watercourse.
 - 3 Development in or adjacent to a flood bank or any flood control structure or constraint.
 - 4 Construction adjacent to Coastal waters and/or below the 6m AOD contour.



6.2 What Should a FRA Include?

6.2.1 PKC endorses technical guidance provided by SEPA and will require developers to strictly adhere to this. The detail and technical complexity of a Flood Risk Assessment will be proportionate to the scale and potential significance of the development but, in all cases, it should comply with the requirements of **SEPA's Technical Flood Risk Guidance for Stakeholders** .

Additional PKC requirements for a FRA are outlined below.

6.2.2 Climate Change

Under the Climate Change (Scotland) Act 2009, local authorities have a duty in relation to climate change. In accordance with current SEPA guidance⁶, PKC require a climate change (CC) allowance (a 35% increase in the estimated peak river flow or rainfall intensity) to be applied to the 0.5% AP (200-year) calculations. This figure is subject to change as future SEPA guidance may be updated to reflect the latest scientific data.

In tidal waters a sea level uplift of 0.85m shall apply (plus 0.15 for every decade beyond 2100 where applicable)

6.2.3 Freeboard

Freeboard is an allowance in height above the predicted level of a flood to take account of the height of any waves or turbulence and the uncertainty in estimating the probability of flooding. PKC apply the following requirements for

⁶ *Climate Change allowances for Flood Risk Assessment in Land Use Planning, SEPA.*

⁷ *It is acknowledged that in certain circumstances 300mm freeboard for garden ground may not be achievable and early consultation and agreement with the Flooding Team is recommended.*

Freeboard:

- *Property Finished Floor Levels (FFL) must be a minimum of 600mm above the 0.5% AP (200-year) design flood level (the design flood level must include the appropriate climate change allowance).*
- *Lowest garden ground level must be a minimum of 300mm above the 0.5% AP (200-year) design flood level (the design flood level must include the appropriate climate change allowance).*⁷
- *Bridge soffit levels should be a minimum of 600mm above the 0.5% AP (200 year) design flood level must include the appropriate climate change allowance).*⁸

6.2.4 Most Vulnerable Uses Infrastructure

Most developments will be required to model up to the 0.5% AP (200-year) return period. However, where developments are regarded as essential infrastructure and Most Vulnerable Uses, under SPP, they will be required to model up to, and be outwith, the 0.1%AP (1,000-year) flood plain.⁹

6.2.5 Sensitivity Analysis

The Flooding Team expect an appropriate sensitivity analysis to be carried out to determine the sensitivity of the design water levels to key model parameters. A sensitivity analysis will include the following parameters and the appropriate figures to be used will be dependent on the site characteristics and the quality of data used:

⁸ *It may be difficult to achieve the above design standard for small bridges over a small watercourse. In these instances, the Flooding Team may agree to a reduced design level provided the bridge does not cause a risk of flooding elsewhere.*

⁹ *Further details of these types of development can be found in SEPA's Land Use Vulnerability Guidance.*

- *Peak Flow*
- *Manning's Roughness*
- *Blockage to all obstructions (where applicable)*
- *Upstream/Downstream Boundary Conditions (where applicable)*

6.2.6 Safe Access/Egress

Any new development must incorporate safe access/egress for pedestrians and vehicular traffic within the development site. This should take account of flooding from all sources, the predicted 0.5% AP (200-year) including climate change flood envelope and overland flood routes from within and external to the site.

6.2.7 Coastal Areas

The FRA requirements for coastal developments differ from inland developments and should be discussed with the Flooding Team at the earliest opportunity.

6.2.8 Provision of Calculations and Modelling Data

When submitting a FRA an electronic copy of the modelling results and supporting information shall be submitted using email or USB pen drive. The FRA should contain the following information:

- *All data and modelling results files for each of the modelled scenarios: 50% AP (2-year), 2% AP (50-*

year), 1% AP (100-year), 0.5% AP (200-year), 0.5% AP (200-year) including climate change, pre- and post-development. If most vulnerable uses infrastructure, the 0.1% AP (1,000-year) scenario should also be included. This information should be in both raw data form and expressed in map form.

- *Detailed modelled tabular outputs for scenarios (as a minimum it must include Froude numbers, velocities and flows);*
- *Proposals and calculations for compensatory storage or flood mitigation measures to deal with the assessed post development increase in flooding on the site and elsewhere (where required).*
- *Rainfall data (where required).*
- *Gauging station data (where required).*
- *Catchment descriptors.*
- *Other supporting information.*
- *A Word document containing a summary of the methodology behind the model; and*
- *Brief summary of each electronic file, where required (ie modelling files).*

6.2.9 Background Data

Good use of photographs is recommended to record details of key site features. Information should be provided to

identify the ownership of any water-related structures and an assessment of their condition.

6.2.10 Submission of a FRA

A FRA shall be submitted in electronic format as detailed below:

- **Email or USB device containing:**
 - *FRA**
 - *All associated correspondence**
 - *Completed **Appendix A****
 - *Completed **Appendix B****
 - *Complete Hec-ras, Infoworks, Mike 11, Flood Modeller, Microdrainage etc modelling results **and word document summarising methodology and file documentation.***

**Acceptable formats are .pdf, .xls, .doc.*

Failure to enclose any of the above documentation will prolong the assessment process.

6.2.11 Development of Land Defended by Flood Protection Schemes


Formal flood protection schemes (FPS) are justified on the basis of protecting existing development and not future development. Ideally these schemes would be constructed to reduce the risk of flooding to the 1 in 200 year standard

and include a suitable allowance for freeboard and future climate change. However, this is often not feasible and many existing FPS in Scotland were also built to older standards and so an assessment is required in support of any proposed development in these areas. In theory this could mean that any new or brownfield development sites behind Flood Schemes could in theory never be developed. However, the Council has adopted a pragmatic approach to development behind flood schemes. The Council's approach permits the climate change allowance to be accommodated in the development design (e.g. by raising finished property floor levels) rather than insisting that the FPS itself includes a 20% allowance for climate change. The Council will therefore permit development in areas defended by a FPS with a minimum 1 in 200 year standard of protection subject to property finished floor levels being set at, or above, the 1 in 200 year flood level, including a minimum allowance of 20% for climate change and 600mm freeboard.

Within Perth and Kinross, the only existing flood protection schemes that are considered to have a high enough standard of protection to potentially allow development behind the flood defences are in Perth (1 in 250 year plus freeboard and high tide), Almondbank (1 in 200 year plus freeboard) and the proposed flood protection scheme in Comrie (1 in 200 year plus freeboard).

6.3 Can PKC Provide any Data for a FRA?

6.3.1 Yes, depending on the location of your development, PKC can, subject to availability, provide the following information:

- **Historical Flood Records** - PKC hold historical biennial reports which record the measures required, and the measures taken, to mitigate flooding of land in their area and all occurrences of flooding. The latest biennial report can be requested by contacting the Flooding Team.
- **Completed Flood Protection Studies** ^{10, 11} - PKC are currently undertaking or have completed a number of flood studies in known flood risk areas such as Aberfeldy, Almondbank, Alyth, Bankfoot, Birnam, Blackford, Burrelton, Comrie/Dalginross, Coupar Angus, Craigie Burn (Perth), Dalguise, Dunkeld, Greenloaning, Inchyra (appraisal), Invergowrie, Kinross (south), Logierait, Longforan, Meikleour, Milnathort, Perth, Pitlochry and Scone.
- **Flood Protection Schemes** - PKC hold records of existing flood protection schemes constructed in Almondbank, Bridge of Earn, Comrie, Milnathort, Perth and Weem (by Aberfeldy).
- **Telemetry** - PKC hold telemetry data for some areas of Perth and Kinross including Perth, Almondbank, Comrie, Blackford and Weem.
- **Flood Risk Management Strategies** 

- **Local Flood Risk Management Plans** 


6.3.2 It should be noted that SEPA also hold historic flood risk information and monitor river levels and flows throughout Perth and Kinross which can help in the assessment of flood risk.

¹⁰ Please contact a member of the Flooding Team for an updated list of ongoing/ completed flood studies/schemes.

¹¹ Please note that a number of these studies were completed over 5 years ago and the developer should (in consultation with the Flooding Team) review the information to determine if further assessment is required.

Surface Water Drainage Design

7.1 Introduction

7.1.1 Under the **Water Environment (Controlled Activities) (Scotland) Regulations 2011**  surface water drainage must be discharged by means of a SuDS (there are exceptions for single house dwellings or discharges to coastal waters). The SuDS shall avoid pollution of the environment and attenuate flows to Greenfield run-off levels (refer to **Section 7.6**).

7.1.2 SuDS are a soft-engineering solution that manages rainwater and potential flooding within the landscaping and greenspaces of a development, contrary to traditional hard engineering approaches. It aims to create multi-functional landscapes that deliver multiple benefits for water management, amenity and biodiversity – see Figure 2. The Council is committed to this approach and to maximising the multiple benefits of SuDS.

SuDS should:

- Be considered from the outset of the design/master-planning stage
- Be conceived as an integral part and an attractive contribution of a development's greenspaces and blue-green infrastructure
- Be designed to be multi-functional by a multi-disciplinary team composed of appropriate professionals (landscape architect or similar)
- Achieve Multiple benefits including amenity and biodiversity.



Figure 2 – Example of integrated SUDS (PKC Open Space Provision for New Developments supplementary Guidance 2021)

7.2 Hydraulic Design

7.2.1 The hydraulic design of surface water drainage systems (and SuDS), to be adopted by PKC, should meet the following criteria:

- *The surface water system should be designed so that the system does not surcharge during a 3.33% (30-year) flood event.*
- *The surface water system should be designed such that the system may surcharge but not flood properties or garden ground during a 1% AP (100-year) flood event.*
- *The surface water system should be designed so that should flooding occur during a 0.5% AP (200-year) flood event + 35% increase in peak rainfall intensity (to allow for future climate change), it should not encroach within 300mm of the lowest garden ground level ¹² or 600mm of property FFL. The overland flow route shall be defined until a suitable conclusion to a receiving watercourse or suitable drainage system. In addition, access and egress must be maintained at all times during the event.*
- *The discharge rate from the development shall be restricted to the pre-development Greenfield run-off for the equivalent return period (or as agreed with the Flooding Team). Refer to **Section 7.6**.*

¹² *It is acknowledged that in certain circumstances 300mm freeboard for garden ground may not be achievable and early consultation and agreement with the Flooding Team is recommended.*

Note: PKC would prefer the SUDS system to attenuate up to the 0.5% AP (200-year) flood event + 35% increase in rainfall intensity (to allow for future climate change) in order that adjacent development zones are not blighted by overland flow routes.

7.3 SuDS Design

7.3.1 SuDS design should be in accordance with the most up-to-date CIRIA guidance and the Council's Supplementary Guidance on Open Space Provision for New Development.

Maintenance of SuDS is essential if they are to perform properly and not themselves pose a risk of flooding. **It is essential that proposals for ownership/adoption and arrangements and responsibilities for future maintenance of all parts of the system are documented in the design submission.**

Early discussion between the Developer, PKC, Scottish Water and SEPA should be initiated when designing SuDS for a development. Where SuDS are being designed on the basis that they are to be vested by Scottish Water, the Developer shall ensure that the design is in accordance with Sewers for Scotland, 4th Edition. Where the Developer intends to request that PKC adopt/vest a SuDS feature, early discussion with PKC should be held to explore the potential for such an agreement. In these circumstances, an agreement to provide a commuted sum towards the cost of future maintenance may be expected from the Developer before Planning Permission is granted. Once the Section 7

process is in place all SuDS within residential schemes will be adopted by the Council and for a non residential scheme any SUDs not proposed for adoption by PKC or Scottish Water must have a demonstrable factoring agreement in place before any properties in the development are sold.

The Council and Scottish Water have adopted the principles set out in a national Memorandum of Understanding for the joint maintenance of surface water drainage systems and SUDS in new housing developments under Section 7 of the Sewerage (Scotland) Act 1968. Therefore, an individual Section 7 agreement will be required for the future adoption and maintenance of SuDS on such sites. Refer to Section 7.3.8.

Responsibility for maintenance of SuDS within property boundaries rests with the property owner. Developers must ensure the burden of responsibility on the homeowner is recorded in the title deeds and provide the homeowner with the required design drawings, detailed maintenance manual and any other relevant documents.

Submission of your surface water drainage design should always include a signed version of **Appendix B**.

Other relevant guidance specific to SuDS is outlined in the following sections.

7.3.2 Embankment Gradients

SuDS Embankment gradients should preferably be 1:6 (a maximum 1:4) in order to allow safe egress/aggress,

ensure the amenity of the SuDS and enable the creation of biodiversity friendly habitats. Fencing of a SuDS pond should only be considered as a last resort or where required by Scottish Water in order to agree vesting of the asset.

7.3.3 Flood Flow Routes

Where the design of a SuDS shows the system will overtop during a 0.5% AP (200-year) flood event including climate change allowance, the flood flow routes shall be determined. Where they approach property and/or garden thresholds, the routes should be manipulated to divert the flood water to locations that cause minimal interference. A plan detailing the flood routes should be included with the planning application where required. The plan shall clearly identify where overland flow originating from within the development site has the potential to impact upon adjacent land or properties out with the development boundary until it reaches a suitable conclusion at a receiving watercourse or appropriate drainage system.

7.3.4 Pond Layout & Location

Areas for flood storage should be designed as accessible multi-functional green spaces. Well-designed multifunctional green spaces should consider how water moves around the site in the case of the various flood events. Embankments should be shallow and planted with preferably native species, but specified by an appropriate professional and suitable within its context. Ponds should be located to form an integral part of the amenity space and a site's green infrastructure, where they can make a positive contribution to

these.

Biodiversity-rich native planting around the SuDS and where appropriate within the surrounding greenspaces and the location of the SuDS should both aim for ecological connectivity with surrounding habitats.

The Council will not accept any SuDS located within the 0.5% AP (200-year) functional flood plain as during flood events the performance of the pond will be compromised by flood water and could potentially lead to more extreme flooding and pollution of the site.

A pond should create habitat mosaics with sub basins of permanent, temporary and semi-permanent ponds: vary these in size and depth – see figure 3. Some ponds or parts of basins should not be exposed to the main pollutant burden allowing many more sensitive animals and plants to exploit some parts of the site.

SuDS ponds should be designed to be open and accessible to residents and the general public.

All SuDS inlet headwalls, pipes and trash screens shall be designed and located with consideration so that they can form an acceptable and inconspicuous part of the amenity spaces.

Further information on the creation of a SuDS pond can be found in SEPA's 2000 publication "Ponds, Pools and Lochans - guidance on good practice in the management and creation of small waterbodies in Scotland".

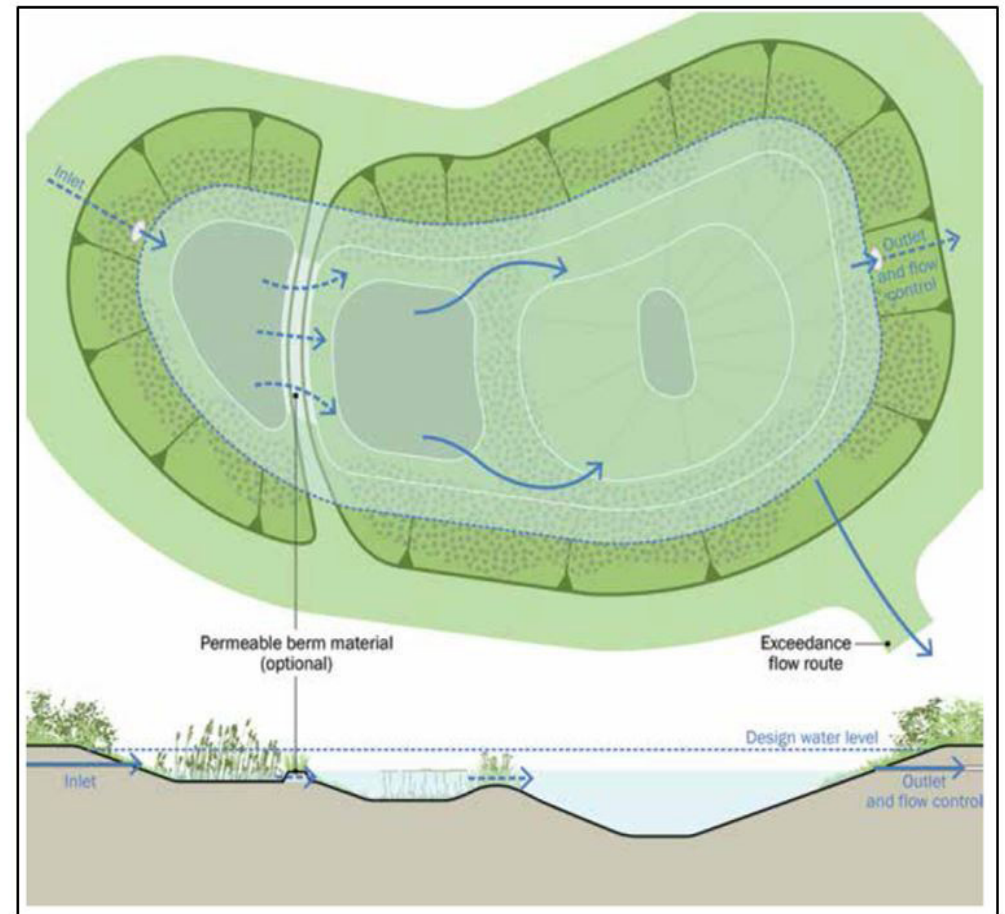


Figure 3 – Plan view and profile of pond details (CIRIA C753 The SuDS Manual, 2015)

7.3.5 Surface Water Systems to be Adopted by Scottish Water

Where surface water drainage systems are to be adopted by Scottish Water they must be designed to Sewers for Scotland, 4th Edition. However, in certain circumstances Scottish Water can make exemptions to certain standards by agreement. This potential exemption should be considered where it would help enable a higher quality, more integrated and more ambitious SuDS design or better place making. Currently, the design criteria is 3.33% (30-year) event. As a result, the developer must detail the flood flow routes for a 0.5% (200-year) flood event including climate change, and how this will be managed on-site in order that access and egress is maintained at all times and the designed flood water level is a minimum of 600mm from FLL and 300mm from the lowest garden ground level ¹³. The overland flow route shall be defined until a suitable conclusion to a receiving watercourse or suitable drainage system.

¹³ It is acknowledged that in certain circumstances 300mm freeboard for garden ground may not be achievable and early consultation and agreement with the Flooding Team is recommended.

7.3.6 Treatment Volume

$$V_t(\text{m}^3/\text{ha}) = 9.D.[\text{SOIL}/2 + (1 - \text{SOIL}/2).I]$$

Where:

- V_t = Water Quality Treatment Volume (as a function of the total development area)
- SOIL = Soil classification (from Flood Studies or Wallingford Procedure WRAP map)
- I = Fraction of the area which is impervious (eg 30 per cent impermeable area = 0.3)
- D = M5 - 60 minute rainfall depth (ie 5-year return period, 60 minute duration storm depth determined from the Wallingford Procedure)

Equation 1 should be submitted as part of the planning application. Refer to Section 4.5 of CIRIA C753 'The SuDS Manual'.

7.3.7 Trash Screens

All SuDS inlet headwalls shall feature a trash screen (with access hatch) which includes an open tread surface to facilitate easy access but also allow an alternative route for water to flow should the face of the screen become blocked.

Any pipe outlets shall not be covered with a trash screen.

7.3.8 Future SUDS Maintenance Arrangements

Section 7 of The Sewerage (Scotland) Act 1968 allows roads authorities and Scottish Water to enter into agreements for the shared use of their sewers or drains for the conveyance of surface water from roads or premises. Representatives from the Society of Chief Officers of Transportation in Scotland (SCOTS) and Scottish Water have drafted a Memorandum of Understanding proposing the joint use and maintenance of SUDS. This approach is supported by the Scottish Government.

These new factoring arrangements would set up a framework to enable the Council and Scottish Water to agree maintenance responsibilities for shared drainage systems constructed as part of new private housing developments. It should be noted that this does not cover every development and some degree of factoring may still be required. The new arrangements would result in Scottish Water maintaining the below ground elements of shared drainage systems while the Council would maintain the above ground elements. This arrangement will also require developers to transfer land ownership to Scottish Water as part of their vesting process and the payment of commuted sums towards the cost of future maintenance.

The Council and Scottish Water have adopted the principles set out in the Memorandum of Understanding for the joint maintenance of surface water drainage systems and SUDS in new housing developments under Section 7 of

the Sewerage (Scotland) Act 1968. Therefore, an individual Section 7 agreement will be required for the future adoption and maintenance of SuDS in such sites. Information is available on Scottish Water's website and further information will be available in due course concerning these individual agreements. Please contact the Flooding Team for the latest requirements.

7.4 Soakaway Design


- 7.4.1 Soakaways should only be used for surface water disposal where it can be demonstrated that the hydrological and hydrogeological conditions are suitable and the time for emptying will not be excessive.
- 7.4.2 The design of surface water soakaways should be to the requirements of BRE Digest 365 or CIRIA C753. However, the soakaway should be designed to accommodate the 200-year flood event + 35% increase in peak rainfall intensity (to allow for future climate change).
- 7.4.3 Soakaways should not be located within 5m of building foundations, nor in any position where the ground below foundations is likely to be affected. In addition, soakaways must take account of seasonal variations in the groundwater table.
- 7.4.4 Attention should be paid to the source of the run-off water to be collected and provision of appropriate pre-treatment facilities (ie grit traps, oil interceptors, etc) with suitable access for maintenance.
- 7.4.5 All soakaways shall be designed with facilities for inspection and maintenance.
- 7.4.6 Percolation testing shall be carried out to BRE Digest 365 and forwarded to the Flooding Team for approval. Depending on the sensitivity of the site to seasonal variations in groundwater level further percolation testing may be required (ie during the winter period). The developer

should liaise with the Flooding Team regarding this issue. Note: subsoil porosity tests must be undertaken as close as possible to the proposed location of each proposed infiltration device/component to ensure that the results are representative. If a porosity test is deemed by PKC to be too remote from the proposed location, the test may require to be re-done.

7.5 PKC Adoption Requirements for SuDS/ Surface Water Drainage System

- 7.5.1 On completion of the maintenance period the following information and testing will be required before PKC will formally adopt any surface water drainage system or SuDS.

7.5.2 CCTV Survey and Drawings

A full CCTV survey and as-built drawings of the entire surface water system (including SuDS) shall be completed and handed over to the Flooding Team. This is required in order for PKC to comply with Section 17 of the **Flood Risk Management (Scotland) Act 2009** . **Note: The system will not be adopted until such information is received.**

7.5.3 Health and Safety File

A completed Health and Safety File containing risk assessments, maintenance procedures, calculations and as-built drawings of all SuDS shall be handed over to the Flooding Team.

7.5.4 System Testing

A full test of all surface water drainage and SuDS shall be carried out and records passed to the Flooding Team. A full test shall consist of the following:

- *Drainage pipes shall be air or water tested to BS EN 1610 and where velocities are less than 1m/s a Mandrel Test may be required.*
- *Soakaways shall be 'on-site' tested to confirm rate of permeability.*
- *Ponds and basins will require suitable testing before they will be formally adopted. It is anticipated that suitable manual recording systems, video and photographic evidence during heavy rainfall events over the maintenance period will prove the following scenarios:*
 - *overflow facility operates correctly;*
 - *discharge rates are as per agreed Greenfield run-off rates;*
 - *no leakage through embankments; and*
 - *designed storage capacity has been provided (as-built drawings would provide this evidence).*

Failure to provide sufficient evidence will result in significant delays to the formal adoption of any drainage system by PKC. Any SUDS system not mentioned above will still be subject to testing and early discussions with the Flooding Team will be required in order to agree a suitable method of testing.

NB: A member of the Flooding Team should be informed of the test arrangements so they may attend if necessary, refer to **Section 10** for contact details. A minimum of 7 days notice is required prior to the test day.

7.6 Greenfield Run-off and Permissible Development Discharge Rates

7.6.1 Greenfield run-off rates are calculated to inform the selection of an acceptable rate of discharge from the site to the receiving watercourse, local Authority or Scottish Water owned surface water drainage system. The calculation of peak rates of run-off from Greenfield areas is related to catchment size. The method of calculating Greenfield run-off is outlined overleaf.

Table 2 summarises the approaches that may be used to calculate Greenfield run-off rate.

Table 2: Greenfield Run-off Rate Estimation Methods (National SuDS Working Group, 2004)

Development Size	Method
0-5ha	<p>The Institute of Hydrology Report 124 <i>Flood estimation for small catchments</i> (Marshall & Bayliss, 1994) is to be used to determine peak greenfield run-off rates for QBAR.</p> <p>Where developments are smaller than 50ha, the analysis for determining greenfield discharge rate should use 50ha in the formula but linearly interpolate the flow rate value based on the ratio of the size of the development to 50ha.</p> <p>FSSR 14(IH, 1993) regional growth curve factors should be used to calculate greenfield peak flow rates for 1-, 30- and 100-year return periods.</p>
50-200ha	<p>IH Report 124 should be used to calculate greenfield peak flow rates. Regional growth factors to be applied.</p>
Above 200ha	<p>IH Report 124 can be used for catchments that are much larger than 200ha. However, for schemes of this size it is recommended that the Flood Estimation Handbook (FEH) (IH, 1999) should be applied. Both the statistical approach and the unit hydrograph approach should be used to calculate peak flow rates. However, where FEH is not considered appropriate for the calculation of greenfield run-off for the development site, for whatever reasons, IH 124 should be used.</p>

In general, the majority of developments will come under 50 hectares and the flood estimation for small catchments is outlined in **Section 7.6.2**. PKC will accept discharge rates calculated using this method.

As a rule of thumb PKC expect the discharge rate for a 1% AP (100-year) flood event to be around 5l/s/ha and 5.5l/s/ha for a 0.5% AP (200-year) flood event. These discharge rates shall be adopted where no calculations have been carried out. However, **Section 7.6.4** outlines instances where more stringent discharge rates may or may not apply.

7.6.2 Flood Estimation of Small Catchments (QBAR)

QBAR can be calculated as follows:

Equation 2: IH124 Mean Annual Flood Flow Rate Equation

$$QBAR_{\text{rural}} = 0.00108 \text{AREA}^{0.89} \cdot \text{SAAR}^{1.17} \cdot \text{SOIL}^{2.17}$$

Where:

QBAR_{rural} = Catchment mean annual peak flow (approximately 43% annual probability or 2.3 year return period) (m³/s)

AREA = Catchment area (km²)

SAAR = Standard average annual rainfall for the period 1941 to 1970 (mm)

SOIL = Soil index (from Flood Studies or Wallingford Procedure WRAP maps). It is a weighted sum of individual soil class fractions, where:

$$SOIL = 0.1 \text{SOIL}_1 + 0.3 \text{SOIL}_2 + 0.37 \text{SOIL}_3 + 0.47 \text{SOIL}_4 + 0.53 \text{SOIL}_5$$

Values of SAAR and SOIL for a specific catchment can be obtained from the *Flood Studies Report* (IH, 1975), The

Wallingford Procedure (HR and IH, 1981), the *Wallingford Procedure for Europe* (Kellagher, 2000) or you can contact the Flooding Team.

Greenfield peak flow rates for other probabilities can be estimated using the Q/QBAR factor from the appropriate growth curve, which for Perth and Kinross is region 1 (refer to the Institute of Hydrology - Flood Studies Supplementary Report 14) and is summarised below.

Table 3: Scotland Growth Curve Factors

PKC Growth Curve Factors							
Return Period							
2	5	10	25	50	100	200	500
0.9	1.2	1.45	1.81	2.12	2.48	2.84	3.25

7.6.3 Example Greenfield Run-off Calculation

Below is an example calculation method for finding the peak flow run-off from a Greenfield site.

Catchment Characteristics	
Location	Perth
Site AREA	1 hectare
SAAR	786mm
SOIL	0.3
Hydrological Region	1

Therefore, using the formula from the Institute of Hydrology Report 124 as detailed in Equation 2:

$$QBAR_{rural} = 0.00108 AREA^{0.89} SAAR^{1.17} SOIL^{2.17}$$

Where developments are smaller than 50 hectares, the analysis for determining Greenfield discharge rate should use 50 hectares in the formula but linearly interpolate the flow rate value based on the ratio of the size of the development to 50 hectares. Therefore:

$$QBAR_{rural} = 0.00108 \times 0.5^{0.89} \times 786^{1.17} \times 0.3^{2.17}$$

$$QBAR_{rural} = 0.00108 \times 0.54 \times 2441 \times 0.073$$

$$QBAR_{rural} = 0.104 m^3/s \text{ or } 104 \text{ l/s for 50 Hectares}$$

Hence, $QBAR_{rural}$ for actual site = $QBAR_{rural} / 50 \times \text{site area} = 104/50 \times 1 = 2.1 \text{ l/s/ha}$

Therefore, by multiplying the $QBAR_{rural}$ by the necessary return period factors as illustrated below, you achieve the following Greenfield limiting discharge rates:

$$1/1 \text{ factor} - 2.1 \times 0.85 = 1.8 \text{ l/s}$$

$$1/30 \text{ factor} - 2.1 \times 1.9 = 4.0 \text{ l/s}$$

$$1/100 \text{ factor} - 2.1 \times 2.48 = 5.2 \text{ l/s}$$


$$1/200 \text{ factor} - 2.1 \times 2.82 = 5.9 \text{ l/s}$$

7.6.4 Discharge Rate Exceptions

Known Flood Risk Locations

Where a development is located within a known flood risk location the Flooding Team may impose stricter discharge rates which are significantly below pre-development Greenfield run-off rates.

Excessive Levels of Greenfield Run-off

SPP  states that any drainage measures should have a neutral or better effect on the risk of flooding both on and off site. Therefore, if in the opinion of the Flooding Team the calculated Greenfield run-off is deemed excessive they may impose reduced discharge rates.

Steeply Sloping Sites

Run-off rates for steeply sloping sites are likely to have increased discharge rates and therefore higher growth curve factors compared to flat sites. The developer should contact the Flooding Team for further information and clarification if this applies to the development site.

Small Developments

The Flooding Team accepts that it may not be possible for single house dwellings or small developments as defined under Section 5.2.2.1 to achieve the allowable Greenfield run-off discharge rates as the orifice size required to control such discharge may be susceptible to blockages. In these instances, the developer should contact the Flooding Team in order that a suitable discharge rate can be agreed. The agreed figure will be dependent on factors such as the size of the watercourse to which you will be discharging to and

the susceptibility of the area to flooding.

Discharges to Scottish Water Assets

Where surface water run-off from the development is to be discharged to Scottish Water Infrastructure, a copy of signed correspondence is required to confirm the rate of discharge that has been agreed with the water authority. Where the agreed rate of discharge is in excess of the equivalent Greenfield run-off rate, PKC reserve the right to enforce a more onerous discharge rate.

Frequently Asked Questions 8

8.1 What return periods and allowance for climate change should I design SuDS and other drainage systems too?

All SuDS and drainage systems (to be adopted by PKC) shall be designed to meet the following criteria:

- 3.33% (30-year) flood event - *The surface water drainage system should be designed such that the system does not surcharge.*
- 1% AP (100-year) flood event - *The system may surcharge but must not overtop the system (ie flood outwith the drainage network).*
- 0.5% AP (200-year) flood event + 35% increase in peak rainfall intensity (to allow for future climate change) - *Surcharging and flooding may occur but it should not encroach within 300mm of the lowest garden ground level¹⁴ or 600mm of property FFL. The overland flow route shall be defined until a suitable conclusion to a receiving watercourse or suitable drainage system. In addition, access and egress must be maintained at all times during the event.*

Note: PKC would prefer the SuDS system to attenuate up to the 0.5% AP (200-year) flood event + 35% increase in peak rainfall intensity (to allow for climate change) in order that

adjacent development zones are not blighted by overland flow routes. In addition, an allowance of 10% should be added to impermeable areas to allow for future expansion.

8.2 What allowance for climate change should I add to the flood risk assessment river model?

At present a 35% increase in peak river flow or peak rainfall intensity must be applied to all river modelling.

8.3 What are your freeboard levels?

A minimum of 300mm freeboard to the lowest garden ground level ¹⁴ and 600mm freeboard to property finished floor level will be required in addition to the climate change allowance.

8.4 What are your Greenfield run-off rates?

This can be calculated using Equation 2 or as a rule of thumb we expect the discharge rate for a 1% AP (100-year) flood event to be 5l/s/ha and 5.5l/s/ha for a 0.5% AP (200-year) flood event. Refer to **Section 7.6** for further details.

8.5 Is there a minimum level to which I should design my bridge soffit?

Bridge soffit levels should be designed to the 0.5% AP (200-

¹⁴ It is acknowledged that in certain circumstances 300mm freeboard for garden ground may not be achievable and early consultation and agreement with the Flooding Team is recommended.

year) flood event with a 35% increase in peak river flow or peak rainfall intensity and an addition of 600mm freeboard. Note that this climate change allowance may change in the future.

It may be difficult to achieve the above design standard for small bridges over a small watercourse. In these instances, the Flooding Team may agree to a reduced design level provided the bridge does not cause a risk of flooding elsewhere.

8.6 Is there a minimum and maximum gradient I can lay pipes to?

There is no minimum or maximum gradient as long as a minimum velocity of 1m/s is maintained. Testing of the system will be required prior to adoption, refer to **Section 7.5.4**.

8.7 Do you require electronic copies of my drainage/river modelling design?

Yes, any computer modelling should be forwarded via email or USB drive with your submission in addition to a paper copy, refer to **Section 6.2.8** and **6.2.10**. Details of the computer modelling software utilised should also be provided.

8.8 Is there a maximum gradient for SUDS embankments?

Yes, all SuDS embankments should have a maximum gradient of at least 1:4, but preferably a 1:6 slope. Due to safety and maintenance reasons, we cannot accept any gradients steeper than 1:4, therefore your design will not be accepted.

8.9 I am building next to a watercourse: is a maintenance strip required?

Yes, a minimum of 5 metres between the watercourse and any obstacles (such as a building or fence line) must remain in order to allow for maintenance access.


8.10 Can I develop land adjacent to an existing Flood Protection Scheme?

Yes, brownfield sites within or land adjacent to an existing formal Flood Protection Scheme can be developed, provided the scheme has a minimum standard of protection of 1 in 200 years. Property finished floor levels must be set at, or above, the 1 in 200 year flood level including a minimum allowance of 20% for climate change and 600mm freeboard. If you are proposing to develop on land within close proximity of an existing flood protection scheme then you should contact a member of the Flooding Team as soon as possible.

8.11 How long does it take to process a FRA or DIA?

The Flooding Team generally receive a request for comment on a FRA or DIA from Planning and endeavour to reply within 21 days of receiving all required documentation.

The process of concluding whether the FRA or DIA will be approved or declined is dependent on the timeous submission of the document by the developer and the complexity of the application. This process can take up to several months.

The **Flooding Team**  is happy to liaise with developers and consultants at any stage in the process to help reduce the timescale for completion.

Certification and Insurance 9

9.1 Self-Certification and Insurance

The submission of your FRA/DIA/Surface Water Drainage Design or other documentation will mean that all reasonable skill, care and the attention of a qualified and competent professional in this field has been applied in accordance with this supplementary guidance.

To provide confirmation to this effect, **Appendix B** contains an assessment compliance certificate that should be completed and submitted in support of an application. Please note that a copy of your professional indemnity insurance policy will also be required. The minimum level of professional indemnity insurance to be maintained is five million pounds (£5,000,000).

Appendix A contains SEPA's FRA check sheet that should be completed and submitted in support of an application.

9.2 Third Party Certification

In certain circumstances (such as unique designs) the Flooding Team may require a third party Engineer check. In this instance, the Developer will be required (at their own cost) to identify a third party Consultant that is acceptable to the Flooding Team (ie a Chartered Engineer with suitable experience in Flooding and Drainage Issues) and have them conduct a review of your design as per this guidance. The complete third party report should be forwarded to the Flooding Team along with evidence to support any necessary updates and changes that have been carried out as recommended by the third party Engineer.

Contact Details

10

10.1 PKC Flooding Team

Technicians: **Richard Hamilton**
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Engineers: **Craig McQueen**
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Russell Stewart
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James Escott
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Email JEscott@pkc.gov.uk

Senior Engineer: **Peter Dickson**
Tel 01738 477278
Email PDickson@pkc.gov.uk

Address for Flooding Team: **Flooding Team**
Environmental & Consumer Services
Housing & Environment
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

10.2 Road Construction Consent Queries

Brian Fraser

Technician
Planning & Development
Housing & Environment
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Tel 01738 476002
Email BVFraser@pkc.gov.uk

10.3 Planning Queries (General)

Development Management

Planning & Development
Housing & Environment
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Tel 01738 475000
Email DevelopmentManagment@pkc.gov.uk)

Glossary/Abbreviations

AREA	<i>Catchment Area (km²)</i>
Attenuation	<i>Reduction of peak flow by spreading it over a longer period of time</i>
BRE	<i>Building Research Establishment</i>
Bridge Soffit	<i>The under-surface of a bridge</i>
CCTV	<i>Closed Circuit Television</i>
CIRIA	<i>Construction Industry Research and Information Association</i>
DIA	<i>Drainage Impact Assessment</i>
FFL	<i>Finished Floor Level</i>
FEH13	<i>Update to the depth duration frequency figures for rainfall. These figures should be used in calculation of design flows using REFH2 and the design of SUDS</i>
FEH Rainfall runoff	<i>A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK. Note that depth duration frequency FEH99 data should be used with this method and not FEH14 data.</i>
Freeboard	<i>A 'safety margin' to account for residual uncertainties in water level prediction and/or structural performance. It is the difference between the height of a flood defence or floor level and the design flood level.</i>

Floodplain

Land adjacent to a watercourse that would be subject to repeated flooding under natural conditions up to the 0.5% AP (200-year) return period

Flood Estimation Handbook

The FEH offers guidance on rainfall and river flood frequency estimation in the UK and also provides methods for assessing the rarity of notable rainfalls or floods.

Flood Risk Management (Scotland) Act 2009

A more sustainable and modern approach to flood risk management, Supersedes Flood Prevention (Scotland) Act 1961 and Flood Prevention and Land Drainage (Scotland) Act 1997

FRA

Flood Risk Assessment

Groundwater

Water that has percolated into the ground; it includes water in both the unsaturated zone and the water table

Greenfield Run-off

This is the surface water run-off regime from a site before development, or the existing site conditions for a brownfield redeveloped site through the attenuation of run-off by way of SuDS

Ha

Hectares

Health & Safety File

The Health & Safety File(s) is a statutory document held by the client. They are the means by which health and safety information is recorded and kept for future use at the end of a construction project

HEC-RAS 

A software tool which can perform one-dimensional steady flow, unsteady flow, sediment transport/mobile bed computations, and water temperature modelling. Similar to Flood modeller.

IH 

Institute of Hydrology (now Centre for Ecology and Hydrology).

Flood Modeller

A software tool which can perform river modelling. Similar to HEC-RAS.

M2-60

60-minute rainfall of 2-year return period (mm)

Pond

Permanently wet basin designed to retain and attenuate surface water run-off and permit settlement of suspended solids and biological removal of pollutants

QBAR_{Rural}

Mean Annual Maximum Flood (m³/s)

QMED

Median Annual Maxima Flood (m³/s). Hence has an annual exceedance probability of 0.5, and a return period of two years.

ReFH2

The revitalised Flood Hydrograph model. A method for estimating design flood flows and flood hydrographs for rural and urbanised ungauged catchments across the UK.

Return Period

The theoretical return period is the inverse of the probability that the event will be exceeded in any one year. For example, a 10-year flood has a $1/10 = 0.1$ or 10% chance of being exceeded in any one year and a 50-year flood has a 0.02 or 2% chance of being exceeded in any one year.

Risk Assessment

A Risk Assessment is the determination of quantitative or qualitative value of risk related to a concrete situation and a recognised threat (also called hazard)

SAAR

Standard Average Annual Rainfall (1961-90) (mm)

SEPA 

Scottish Environment Protection Agency

SEPA's Indicative Flood Map 

Details areas of land in Scotland estimated to be at high, medium or low risk of flooding from either rivers, coastal or surface water

Soakaway

A subsurface structure into which surface water is conveyed to allow infiltration into the ground

SOIL

Soil index, being a weighted sum of SOIL1, ..., SOIL5

Source Control

The control of run-off at or near its source

SuDS

Sustainable Drainage Systems or Sustainable urban Drainage Systems. A sequence of management practices and control structures designed to drain surface water in a more sustainable fashion than some conventional techniques.

Trash Screen

A screen used at inlets to prevent the passage of material liable to block the pipe

Treatment Volume

The proportion of total run-off from impermeable areas captured and treated to remove pollutants

 V_t

Treatment Volume

Watercourse

All means of conveying water except a water main or sewer

Water Environment (Controlled Activities) (Scotland) Reg 

A set of regulations that control activities which may affect Scotland's water environment

Water Environment Water Services (Scotland) Act

Gave powers to introduce regulatory controls over water activities, in order to protect, improve and promote sustainable use of Scotland's water environment

MICRODRAINAGE

A software tool to design and analyse drainage systems

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

www.pkc.gov.uk

(PKC Design Team - 2018619)

Appendix A - FRA Check Sheet

SEPA FRA Check Sheet [🔗](#)

Appendix B - Assessment Compliance Certification and Insurance

Assessment Compliance Certification

I certify that all reasonable skill, care and attention has been exercised in undertaking the attached Flood Risk Assessment/ Drainage Impact Assessment/Surface Water Drainage Design* (*delete as appropriate*). The documentation has been prepared for the below noted development in accordance with the PKC Developers' Guidance Note on Flooding and Drainage.

Name of Development

Address of Development

Name of Developer

Planning Application Number

Name and Address of Organisation Preparing this Assessment

Signed

Name

Position Held

Engineering Qualification⁽¹⁾

⁽¹⁾ *Chartered Engineer or equivalent from an appropriate Engineering Institution.*

Date

Insurance

Please attach a copy of your professional indemnity insurance policy to this document.

Maintenance Options for Public Open Spaces in New Residential Developments Policy 2020



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Appendices

Appendix 1: Calculation of Commuted Sum (CS) for 20 Year Period.

Appendix 2: Calculation of the Security Deposit (SD).

1 Introduction

Perth and Kinross is fortunate to have an enviable reputation for environmental quality based on a rich legacy of well designed, connected and maintained public open space (POS). This good standard of POS provision is vital for providing for public health, wellbeing and amenity.

The level of community pride in our POS is demonstrated by the success of some voluntary 70 Bloom, Path, Allotment and Friends of Parks Groups who, supported by Community Greenspace (CG), put an immense effort in every year to create places they are proud of. It is therefore important for the Council to ensure that new POS provided within residential developments are up to an acceptable standard and that their maintenance in perpetuity is assured.

There is no legal requirement for councils to take on the maintenance of POS and no legal basis to compel developers to transfer title and commuted sums (CS) to councils. However the best way to ensure high quality POS is through adoption by the Council. This proposed policy aims to encourage developers, who have provided POS to Council standards, to opt for Council adoption so that the POS will be maintained in perpetuity for public benefit. It ensures that on all developments Priority POS (PPOS), including equipped play areas, sports pitches, large parks and key green corridor path links, will be adopted by the Council to ensure they are available to all. Above ground SUDS being jointly maintained with Scottish Water must also be adopted in all developments. It also allows developers an alternative option to make private maintenance arrangements for all other areas of POS, including developments with no PPOS areas, but only where criteria to safeguard the public, Council and residents' interests are met. It will replace the current policy adopted in 2001 and updates the required payments from developers to

the Council (the commuted sum) to ensure Council adoption is affordable and sustainable.

2 Context

2.1 National Policy

2.11 Quality Places

The Scottish Government (SG) have made it clear in a suite of planning policies that the creation of quality places is a fundamental requirement of the development management process. This is summarised in their 2013 'Creating Places' policy statement on architecture and place for Scotland in which the joint Ministerial Statement says:

'Our responsibility is not simply to preserve this great asset, but also to create Scotland's future assets. Our vision is a Scotland where quality places support our communities, respect our environment, drive our economy and reflect our identity as a modern, forward-facing nation. It is the commitment of this Government, and the ambition of this policy statement, to create places where people prosper. Place should not be considered merely a backdrop to our lives, but as an agent of change. Good buildings and places can enrich our lives as individuals and as a society in many different ways. Whether it is by supporting active, healthy lifestyles, or reducing our carbon footprint, or being the critical factor which attracts visitors and inward investment, the value of place cannot be underestimated or ignored'.

It goes on to say: *'Good design can guarantee that we get it right first time, avoiding scenarios where we are left with problem buildings or places which fail our communities. Good developments not only house people, but support a wide range of activity. Through the careful use of land, developments should*

be designed to accommodate a range of housing, local retail, leisure facilities, and high quality green spaces which are attractive, rich in biodiversity and well connected'.

This is a clear shift away from car orientated street and standard housing design typical of the latter half of the 20th and early 21st century.

2.12 Community Empowerment

The SG's drive to empower communities to take on responsibility and/or ownership for land and buildings which they use or want to use is enshrined within the Community Empowerment (Scotland) Act 2015. The Act also aims to strengthen the communities' voice in decisions regarding public services. In support of this, the Land Reform (Scotland) Act part 2 was amended and came into force on 15 April 2016 to extend the community right to buy to urban land and buildings (in addition to rural land). This provides the legislative framework for councils to transfer appropriate assets to community user groups.

2.13 Owners' Associations (OAs)

The Title Conditions (Scotland) Act 2003 ([Development Management Scheme](#)) Order 2009 (enacted 1.6.09) aims to protect the interests of home owners where private factoring of POS applies. It is the SG's response to dissatisfaction with previous private maintenance arrangements and high profile cases where residents have sought legal protection against unjustified increases in private factoring fees, particularly where factors are failing to maintain POS to adequate standards. It follows a SG consultation in 2011 on the Maintenance on Private Housing Estates and whether changes were required to the Title Conditions (Scotland) Act 2003 to allow for changes of private factors. The [Development Management Scheme \(DMS\)](#) entrusts the management for the maintenance of common areas to an Owners Association (OA) which is a body corporate so can own land and enter into contracts etc.

Each house purchaser is automatically part of this association and is required to pay a service charge to fund maintenance. The OA must appoint a manager who does not have to be a member and is usually a professional property management firm. In practice, the developer generally appoints a factor for the initial period (usually five years) allowing time for the OA to assume control. In theory, once the OA have assumed control if they are not satisfied with the appointed factor after the initial period, they can opt for an alternative factoring company. The factor works under the direction of the OA so successful POS maintenance relies on an interested and effective OA. It is a relatively new model so is likely to only have been used in a small number of developments over a short period of time so has therefore not yet been proved in terms of the long term sustainable maintenance of POS. The mechanisms for large numbers of residents to act collectively and agree common goals which are in the public interest, or have the knowledge or expertise to instigate change in factoring arrangements is likely to be difficult.

The Council has permitted several DMS to date being at Bridge of Earn (LDP2 H72), Rattray (LDP2 H63), and Bertha Park (LDP2 MU345) on the north west edge of Perth. These residents are financially responsible for the maintenance of all the POS (except for the football pitches at Bertha Park which the Council will adopt). Residents of affordable houses, built by the Council, are exempt from factoring fees. The developers appoint maintenance companies to factor the POS however there is an option for the OAs, once established, to appoint alternative companies if dissatisfied with maintenance. For Bertha Park the S.75 planning agreement requires the payment mechanism and process to be agreed by the Council in advance of the commencement of each phase.

2.2 Public Open Space

Well designed and implemented public open space (POS) is an essential component in creating successful places. Creating Places states:

‘Developments should be designed to accommodate a range of housing, local retail, leisure facilities, and high quality green spaces which are attractive, rich in biodiversity and well connected.’

POS includes parks, play areas, sports areas, paths (which are often incorporated within ‘green corridors’), woodlands and can also include natural water features or man-made sustainable urban drainage schemes (SUDS) and other locally distinctive landscape features. SUDS should be integral to POS providing attractive amenity and biodiverse features. POS provide for amenity, recreation, social exchange and encourage people to have healthier lifestyles.

Small blocks of ‘semi-private’ amenity planting and grass, which are for the benefit of residents only, rather than the wider public is not POS. Further details are provided within the Supplementary Guidance.

2.21 Council Process for Ensuring the Provision of Good POS

If the Council has agreed the POS provision and layout through a planning consent and it has been implemented to a satisfactory standard, the Council will normally offer to adopt it. Council adoption requires the transfer of land title and the appropriate commuted sum and ensures that all POS is maintained to an appropriate standard in perpetuity. This includes the regular inspection, repair and replacement of equipped play areas. It also ensures that communities have opportunities to take over the management and maintenance of any appropriate land or facilities, such as amenity woodland,

allotments or sports pavilions, through arrangements such as a licence to occupy.

2.22 Private Maintenance Arrangements

The current policy (set out in the Environment & Consumer Services Committee Report 30 May 2001 Ref. ECS61) allows developers to opt for adoption by a private maintenance company. It does not allow for factoring charges to residents (although in a few cases the policy has not been applied). Experience has shown that in many cases maintenance issues develop in the long term such as trees overshadowing properties, overgrown shrub beds and failing play standards. Complaints from residents, if unresolved by the responsible party, are often directed at the Council's planning enforcement section. The residents may also contact Community Greenspace in the hope that the Council will take over their POS maintenance, however without land title and a commuted sum this is not possible.

3 Policy

3.1 Policy Aims

This policy aims to:

1. Ensure new residential developments include good quality, well designed POS to Council standard which is adequately maintained in perpetuity to contribute to creating safe and attractive places to live and visit.
2. Ensure adequate resources are secured to maintain POS adopted by the Council and that the adoption process is clear and efficient.
3. Ensure the long term quality standard of priority POS, being equipped play areas, sports pitches, large parks and possibly green corridor path links, through Council adoption.
4. Ensure the Council, public interest and house purchasers are protected where private factoring arrangements are permitted.

5. Encourage community empowerment by providing opportunities for community ownership, management and/or maintenance of community facilities within POS.

These aims are consistent with the Council's Corporate Plan's 2018 - 2022 strategic objectives which provide a framework for improving outcomes for all at every life stage. In particular objective 5. Creating a safe and sustainable place for future generations.

This policy has been developed to compliment the draft Supplementary Guidance on Open Space to the Local Development Plan which aims to ensure that developers provide POS to Council standards. The policy sees a classification of two types of POS:

1. Priority POS (PPOS) including equipped play areas, *large parks, sports pitches and possibly green corridor path links which are of importance to the wider community, not just the residents on the development.
2. Non priority POS – any other areas of public greenspace which are only likely to be used by the residents on the development.

The developer will be asked to identify the two types of open space for discussion and agreement with the Council as part of the development design and planning application process.

3.2 Policy - Options for Developers

The key principle is that the Council wants to ensure that good quality POS is provided and maintained in perpetuity for public benefit and to contribute to enhancing Perth and Kinross's reputation for quality places and landscapes.

The best way to achieve this is through Council adoption of POS which meets Council standards. There are two options available to developers:

1. The Council adopts all POS in new developments. In this case the flat rate commuted sums will be paid by the developer with no charge to the residents. Where there is a planning requirement for exceptionally large POS areas, such as a country park, the Council reserves the right to apply a site specific CS calculation for these areas. Areas of amenity planting and small open spaces which do not benefit the public will not be adopted by the Council. These areas can be maintained through employing a private factor or them remaining the resident`s responsibility.
2. The Council will adopt only the PPOS in all developments to ensure they are available to the public and that residents are not charged for these important public spaces. In all cases the Council must adopt above grounds SUDS (where Section 7 agreement applies) and they are being jointly maintained with Scottish Water (see below). For play areas, payment of the flat rate commuted sum will apply. For the other PPOS areas the flat rate commuted sum per dwelling will not apply. Instead, a site-specific commuted sum will be calculated separately based, on current maintenance rates, and be paid by the developer. For all remaining POS and amenity areas the developer can apply a Development Management Scheme (DMS), subject to Council agreement, with home owners meeting maintenance costs of these areas. Land title for the POS areas must be transferred to the Owners' Association.

* Large parks will usually incorporate play and/or pitch facilities, further POS areas within the same development if over 1ha and suitable for informal play or ball 'kickabouts' will usually also be considered as large parks. Where play and pitch facilities are not required within a development the same criteria apply. In small settlements areas of public open space smaller than 1ha may be significant and the largest of these will be considered large parks.'

** Above ground SUDS (Sustainable Urban Drainage Systems) being jointly maintained with Scottish Water must be adopted by the Council to comply with the Section 7 agreement (please see SG guidance). Where they are the only POS to be adopted within a development a site-specific commuted sum will be payable.

3.3 Council Adoption

Although developers can opt for private arrangements for some areas, Council adoption of all POS within a development is preferred as it is a simpler process. It also has the benefit that after adoption, developers and residents are relieved of all future maintenance responsibilities which will be attractive to all prospective house purchasers.

Developers must transfer land title and pay the appropriate commuted sums (CS) prior to maintenance handover for all adopted POS. In addition the appropriate CS per play area will be paid by the developer. Payment of a security deposit (*SD) which is calculated as a percentage of the CS is also required to ensure that all POS meets Council standards prior to adoption. If minor POS remedial works is required on adoption the Council will do this at the developer's expense using the SD. * (Appendix 2 provides details of the Security Deposit).

Appropriate facilities provided by developers within adopted POS, such as allotments and sports pavilions, will be made available for community management.

The CS does not include maintenance of any built features within POS for which a separate arrangement applies. The Council will not adopt any 'semi-private' amenity areas for the benefit of the residents only. These will remain the responsibility of the developer or residents through maintenance by a factor or through an OA.

3.4 Calculation of the Commuted Sum (CS)

The CS figures given below are based on the 2020/21 maintenance costs, however the CS will be uplifted annually on 1 April in line with the retail price index (RPI) and the appropriate CS will be applied at the time of adoption. For general POS, the CS continues to be based on a 'flat rate' average estimated maintenance cost per dwelling and the period over which it is applied is 20 years so is £800 per dwelling at 2020 prices. In addition the separate CS per play areas is required.

Where the Council only adopts the PPOS, a site-specific CS for other adoptable PPOS and SUDS (if not within PPOS) will be calculated based on the approved plans and schedules provided by the developer. Where there is a planning requirement for exceptionally large POS areas, such as a country park, the Council reserves the right to apply a site specific CS calculation for these areas. This ensures adequate resource to maintain POS.

The separate CS for equipped play areas continues to be based on the 'flat rate' average estimated maintenance cost per play area. This is also for a 20 year period and includes a contribution to the replacement cost (as this will occur during the 20 year CS period). There will be 2 different CS rates related to the age range/size of the play area being £65,500 per LEAP and £82,000 per NEAP/REAP (see Appendix 1 for details). Where a NEAP/REAP is required within a small development the Council may contribute to its delivery.

3.5 Private Maintenance Arrangements

Factoring of non-priority POS (excluding SUDS) will only be permitted using the Development Management Scheme (DMS) model. This is on the basis that Owners' Associations will act in the interests of residents to manage the long-term maintenance of POS.

Enforceable robust planning conditions and agreements must ensure that POS maintained through the DMS is designed and maintained to at least Council standards, it remains accessible to the public and the interests of residents are protected. Owners' title deed conditions must clarify their responsibilities in relation to the DMS and the Council may require sight of the relevant clauses. Title to the POS must remain with a single entity i.e. the OA or body undertaking the maintenance and not be transferred to individual house purchasers.

The DMS factoring arrangements will be kept under close review until the Council is satisfied this is an appropriate means of securing the sustainable long term management of good quality accessible POS. In the event of any Owners' Association requesting transfer to Council maintenance, it will be required to follow the Council's adoption process.

4 Conclusion

This draft policy has been developed to ensure the sustainable future provision and maintenance of good quality, accessible public open space as part of new housing developments. It requires all priority public open space which will be used by the wider public, to be adopted by the Council for the appropriate commuted sum and for the land title to transfer to the Council.

It is accepted that alternative private arrangements can be made through the Development Management Scheme, for non-priority POS which is largely of benefit to specific residential areas. For developments with no PPOS, the developer can choose between Council adoption, or applying a Development Management Scheme. It will be the responsibility of the Owners' Association to ensure the standards of maintenance are appropriate and to arrange for and pay the factor.

DRAFT

Appendix 1 Calculation of Commuted Sum (CS) for 20 Year Period

All figures below are based on the maintenance costs for 2020/21 however the CS will be uplifted annually on 1 April in line with the retail price index (RPI). The appropriate CS will be applied at the time of adoption. This will also apply to the different completed phases of large developments which take several years to complete. The CS will be drawn down at 5% per annum over 20 years following adoption. This will cover the additional costs of maintaining the adopted sites through the Grounds Maintenance (Operations) budget, and play area maintenance contract. When the CS is fully spent maintenance will be funded through the Council's revenue budget.

The 20 year period is a significant increase (double the current policy's 10 year period), although some other councils base their CS on longer periods (25-40 years) any greater increase could lead developers to compromising on the level of POS provision.

Where the Council adopts all POS

The CS is £800 per dwelling in 2020/21 in addition the separate CS for play areas (as detailed below) is required. Where there is a planning requirement for exceptionally large POS areas, such as a country park, the Council reserves the right to apply a site specific CS calculation for these areas.

The CS of £800 per dwelling is applied for a 20 year period by doubling the previous (current 2001 policy) CS of £400 per dwelling calculated for a 10 year period. The CS in the 2001 policy was calculated by averaging the maintenance cost per house across a range of developments to provide a 'flat rate' which has been uplifted in line with inflation since. The use of a flat rate CS in the 2001 policy is continued on the basis that clarity on costs at an early stage in the development process is an advantage to developers and increases efficiency for all concerned.

The £800 CS equates to £40 per house (800/20) which compares favourably to the estimated maintenance cost of £51 per house for existing houses throughout Perth and Kinross (Council annual maintenance budget/ number of houses in 2020).

Where the Council adopt only Priority POS and SUDs

Priority POS includes: play areas, large parks, sports pitches and possibly green corridor path links. In addition, the Council must adopt above ground SUDs being jointly maintained with Scottish Water. The play area CS (as detailed below) will apply plus a site-specific CS will be calculated for other PPOS and SUDs.

Large parks will usually incorporate play and/or pitch facilities and SUDS, further POS areas within the same development if over 1ha and suitable for informal play or ball 'kickabouts', will usually also be considered as large parks. Where play and pitch facilities are not required within a development the same criteria apply. In small settlements areas of public open space smaller than 1ha may be significant and the largest of these will be considered large parks.'

The developer will be required to provide separate area measurements, planting and infrastructure specifications and projected annual maintenance costs for the park, sports areas, key green corridors with paths and SUDS (if not incorporated in another PPOS). This will be used to calculate the projected annual Council costs which will be multiplied by 20 to calculate the CS which applies for the 20 year period.

In small developments with SUDS being jointly maintained with Scottish Water and no other PPOS, a site-specific CS for the SUDS only will be required.

CS for Play Area Maintenance £65,500 per LEAP, £82,000 per NEAP/REAP

Separate CSs for play areas are applied on the basis that not all developments require to provide a play area and that play maintenance costs are higher due to the need for regular inspection, repair and renewal of items of play equipment and the requirement to refurbish the play area at the end of its life (approximately 15 years).

PKC's Play Strategy classifies equipped areas for play as summarised below:

- Local (LEAP) for 4-8 year old children.
- Neighbourhood (NEAP) & Rural (REAP) for both 4-8 and 8-14 year olds.
- Premier (PEAP) for both 4-8 and 8-14 year olds but are only provided in major parks.

A LEAP, NEAP or REAP may be required as part of a development. The average annual maintenance cost (inspection, repair and renewal) was calculated as:

LEAP - £2,400

NEAP/ REAP - £2,900

In addition to the above, a contribution to the replacement cost is included within the CS as this falls within the 20 year CS period. The current cost of replacement after approximately 15 years is:

LEAP - £52K
NEAP/REAP - £73K

The tables below show the calculation of the CS covering 20 years for the relevant play area classifications. This is comprised of a 20 year annual maintenance cost and a third of the expected replacement costs after 15 years. This contribution equates to the 5 years remaining within the 20 year CS period.

Play area classification	CS option 1	Calculation
LEAP	£65,500	£2,400 x 20 = £48,000 for maintenance plus £17,500 for replacement (5 years is a 1/3 of 15 years so 1/3 of £52,000 = £17,333 rounded up to £17,500).
NEAP/REAP	£82,000	£2,900 x 20 = £58,000 for maintenance plus £24,000 for replacement. (5 years is a 1/3 of 15 years so 1/3 of £73,000 is £24,334 rounded down to £24,000)

The annual maintenance element of the play area CS would be drawn down at 5% per annum over 20 years following adoption. The refurbishment element included within the CS, will be drawn down when the play area is due for refurbishment, estimated to be 15 years after adoption.

Appendix 2 Calculation of the Security Deposit (SD)

The SD will be 10% of the CS for any development up to 100 dwellings. For larger developments which are phased the SD will be payable as 10% of the CS for each phase.

The SD has been introduced in response to difficulties with the title transfer process and to guarantee that POS within developments are at adoptable standards prior to the Council accepting maintenance responsibility. It incentivises the developer to ensure adoptable standards are met and the adoption process is concluded. In rare cases where a developer consistently fails to meet standard the Council may adopt the POS (on condition that title and full CS is transferred) and use the SD to fund remedial works. Adoption is intended to be completed in one year following the initial inspection site meeting undertaken by CG and the developer. This time period is required to ensure all planting and other landscaping is successfully established and transfer land title. Immediately after this initial inspection, the developer must initiate the title transfer process and must ensure that the POS meets the required Council standard until title transfer is completed and the CS has been received. The Council will deduct any estimated and/or incurred costs from the SD including any remedial works and further 'snagging' inspection site meetings (charged at £120 per visit) undertaken by the Council. Any remaining portion of the SD thereafter will be deducted from the CS balance payable by the developer.

The SD is intended to guarantee the Council has sufficient funds to carry out any POS remedial works required. It provides an upfront payment from the developer and is therefore much simpler and more robust than a bond-based payment such as used for example in Road Bonds.